

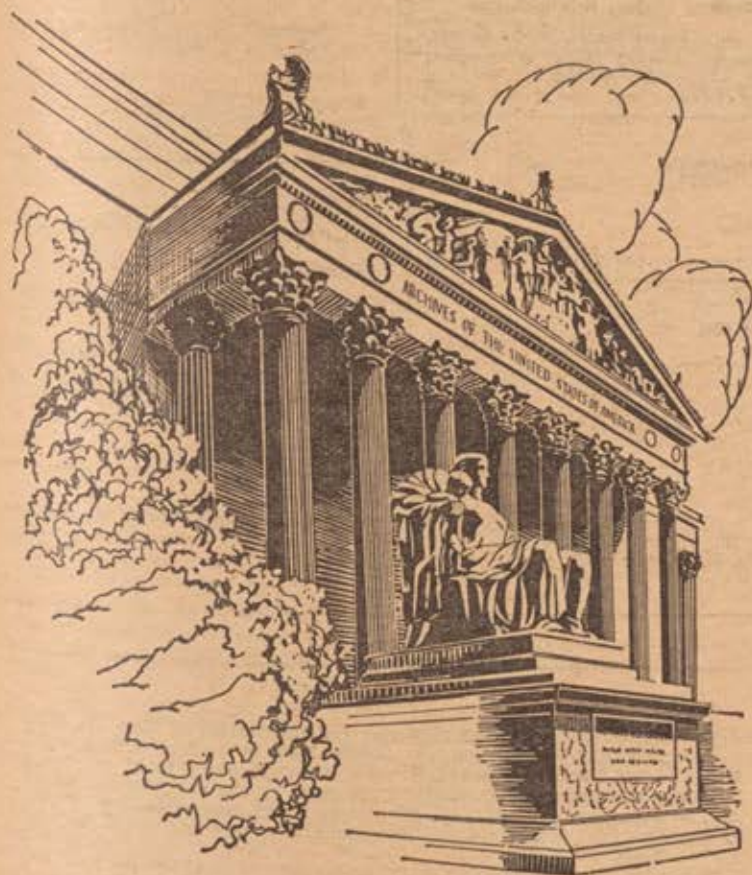
# FEDERAL REGISTER

VOLUME 30 • NUMBER 45

Tuesday, March 9, 1965

• Washington, D.C.

Pages 3181-3257



**Subscriptions Now Being  
Accepted**

**SLIP LAWS**

**89th Congress, 1st Session  
1965**

Separate prints of Public Laws, published  
immediately after enactment, with mar-  
ginal annotations and legislative history  
references

Subscription Price:

**\$12.00 per Session**

Published by Office of the Federal Register,  
National Archives and Records Service,  
General Services Administration

Order from Superintendent of Documents,  
Government Printing Office, Washington,  
D.C. 20402



Area Code 202

Phone 963-3261

**FEDERAL REGISTER**

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address: National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrator of Documents, Government Printing Office, Washington, D.C. 20402. Distribution is made only by the Superintendent of Documents.

The **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the **CODE OF FEDERAL REGULATIONS**, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The **CODE OF FEDERAL REGULATIONS** is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first **FEDERAL REGISTER** issue of each month.

There are no restrictions on the republication of material appearing in the **FEDERAL REGISTER** or the **CODE OF FEDERAL REGULATIONS**.



# Contents

## THE PRESIDENT

### EXECUTIVE ORDER

- Permitting student trainees to be given career or career-conditional appointments..... 3185

## EXECUTIVE AGENCIES

### AGRICULTURE DEPARTMENT

See also Commodity Credit Corporation; Consumer and Marketing Service.

### ATOMIC ENERGY COMMISSION

#### Rules and Regulations

- Contract cost principles and procedures; special funds in construction industry..... 3219

#### Notices

- Colorado State University; issuance of construction permit..... 3248  
Transfer of commercial radioisotope production and distribution to private industry; policies and procedures..... 3247

### CIVIL AERONAUTICS BOARD

#### Notices

##### Hearings, etc.:

- Braniff Ponca City deletion..... 3228  
Service rates for certain military mail in the Pacific..... 3228  
Trans-Air System, Inc..... 3228

### COAST GUARD

#### Rules and Regulations

- Shipping; barges carrying bulk dangerous cargo..... 3219

### COMMODITY CREDIT CORPORATION

#### Rules and Regulations

- Oats loan and purchase program, 1965 crop..... 3195

### CONSUMER AND MARKETING SERVICE

#### Rules and Regulations

- Lemons grown in Arizona and California; handling limitation..... 3187  
Milk in certain marketing areas: Chicago, Ill.; order terminating order..... 3187  
Northwestern Indiana; order amending order..... 3188

#### Proposed Rule Making

- Milk in certain marketing areas; equivalent price for use in computing prices for Class I milk..... 3224

### Notices

- Certain humanely slaughtered livestock; identification of carcasses; changes in lists of establishments..... 3228  
Wallace Stockyards et al.; posted stockyards..... 3247  
Warehouses and warehousemen..... 3229

### FEDERAL AVIATION AGENCY

#### Rules and Regulations

- Emergency evacuation of aircraft..... 3200

#### Proposed Rule Making

- Airworthiness directive; Continental Model IO-470 Series engines..... 3224

#### Federal airways:

- Designation..... 3225

- Revocation..... 3224

- Jet route; designation..... 3225

- VOR Federal airway, revocation; and alteration of reporting point..... 3225

### FEDERAL COMMUNICATIONS COMMISSION

#### Rules and Regulations

- Communication common carriers and certain affiliates; reports of proposed changes in depreciation rates..... 3223

- Organization, practice, and procedure; delegation of authority and designation for hearing..... 3223

#### Notices

##### Hearings, etc.:

- KFOX, Inc. (KFOX)..... 3249

- Princess Anne Broadcasting Corp. and South Norfolk Broadcasting Co..... 3248

- Southern Newspapers, Inc., and Radio Hot Springs Co..... 3248

### FEDERAL MARITIME COMMISSION

#### Notices

##### Agreements filed for approval:

- Blue Sea Line joint service..... 3249

- De La Rama Lines joint service..... 3249

- Japan-Atlantic and Gulf Freight Conference..... 3250

- Trans-Pacific Freight Conference of Japan..... 3250

### FOOD AND DRUG ADMINISTRATION

#### Rules and Regulations

- Food additives; rubber articles intended for repeated use..... 3207

### FOREIGN ASSETS CONTROL OFFICE

#### Notices

- Tannic acid, importation; available certification by Government of United Kingdom..... 3247

### HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Food and Drug Administration; Social Security Administration.

#### Rules and Regulations

- Public contracts and property management; debarred, suspended, and ineligible bidders..... 3218

### IMMIGRATION AND NATURALIZATION SERVICE

#### Rules and Regulations

- Aliens; evidence of status of immigrants, and consent to apply for readmission..... 3200

### INTERIOR DEPARTMENT

See Land Management Bureau.

### INTERNAL REVENUE SERVICE

#### Rules and Regulations

- Income taxes; dividend gross-up and foreign tax credit for domestic corporate shareholder of foreign corporation..... 3208

### INTERSTATE COMMERCE COMMISSION

#### Proposed Rule Making

- Locomotives other than steam; inspection..... 3226

- Nitromethane; transportation..... 3225

#### Notices

- Fourth section application for relief..... 3255

- Valdosta Southern Railroad; re-routing or diversion of traffic..... 3255

### JUSTICE DEPARTMENT

See Immigration and Naturalization Service.

### LAND MANAGEMENT BUREAU

#### Notices

##### Alaska:

- Proposed amendment of Executive order..... 3228

- Proposed withdrawal and reservation of lands..... 3227

- Michigan; proposed withdrawal and reservation of lands..... 3227

(Continued on next page)



**POST OFFICE DEPARTMENT****Rules and Regulations**

International mail; miscellaneous amendments.....	3216
Vending stands and machines; miscellaneous amendments.....	3215

**SECURITIES AND EXCHANGE COMMISSION****Notices**

Israel American Diversified Fund, Inc.; hearing, etc.....	3250
---	------

**SMALL BUSINESS ADMINISTRATION****Notices**

Delegations of authority to conduct program activities in regional offices:	
Middle Atlantic area.....	3254
Midwestern area.....	3252
Northeastern area.....	3251
Southwestern area.....	3253

**SOCIAL SECURITY ADMINISTRATION****Rules and Regulations**

Federal old-age, survivors, and disability insurance; time limitations and assessments; correction.....	3207
---	------

**TREASURY DEPARTMENT**

See also Coast Guard; Foreign Assets Control Office; Internal Revenue Service.

**Notices**

Field strength meters from Canada; intent to discontinue investigation and make determination.....	3247
--	------

**VETERANS ADMINISTRATION****Rules and Regulations**

Medical; utilization of facilities other than those under direct and exclusive jurisdiction of VA.....	3215
--	------

**List of CFR Parts Affected**

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

**3 CFR****EXECUTIVE ORDER:**

11202.....	3185
------------	------

**7 CFR**

910.....	3187
1030.....	3187
1031.....	3188
1421.....	3195

**PROPOSED RULES:**

1031.....	3224
1032.....	3224
1038.....	3224
1039.....	3224
1051.....	3224
1062.....	3224
1063.....	3224
1067.....	3224
1070.....	3224
1078.....	3224
1079.....	3224

**8 CFR**

205.....	3200
212.....	3200

**14 CFR**

25.....	3200
91.....	3200
121.....	3200

**PROPOSED RULES:**

39.....	3224
71 (3 documents).....	3224, 3225
75.....	3225

**20 CFR**

404.....	3207
----------	------

**21 CFR**

121.....	3207
----------	------

**26 CFR**

1.....	3208
--------	------

**38 CFR**

17.....	3215
---------	------

**39 CFR**

98.....	3215
111.....	3216
112.....	3216
132.....	3216

141.....	3216
161.....	3216
162.....	3216
163.....	3216

**41 CFR**

3-1.....	3218
9-15.....	3219

**46 CFR**

31.....	3220
32.....	3220
35.....	3220
40.....	3221
90.....	3222
98.....	3222

**47 CFR**

0.....	3223
1.....	3223
43.....	3223

**49 CFR**

PROPOSED RULES:	
71-78.....	3225
91.....	3226



# Presidential Documents

## Title 3—THE PRESIDENT

### Executive Order 11202

#### PERMITTING STUDENT TRAINEES TO BE GIVEN CAREER OR CAREER-CONDITIONAL APPOINTMENTS

By virtue of the authority vested in me by Section 2 of the Civil Service Act (22 Stat. 403) and Section 1753 of the Revised Statutes (5 U.S.C. 631), and as President of the United States, it is hereby ordered as follows:

SECTION 1. The appointment of an employee occupying a Student Trainee position in a shortage occupation that is excepted from the competitive service under Schedule B of the Civil Service Rules shall be converted to a career-conditional or career appointment if he:

- (1) has successfully completed a preprofessional cooperative work-study program and has satisfied all applicable requirements leading to the award of a bachelor's degree;
- (2) has had a minimum of six months' work experience in the employing agency as a Student Trainee;
- (3) is recommended for such appointment by his employing agency; and
- (4) meets all other requirements and conditions prescribed by the Commission under Section 3 of this Order.

SEC. 2. As used in this Order, a cooperative work-study program is a program involving alternating periods of planned work experience and related study at an accredited college or university in either (1) a curriculum in which the work experience is a prerequisite to the award of a degree, or (2) a curriculum where formal arrangements are made with the college or university for selecting and retaining program participants and for scheduling and coordinating work experience and academic study.

SEC. 3. The Civil Service Commission shall prescribe such regulations as may be necessary to carry out the provisions of this Order.

LYNDON B. JOHNSON

THE WHITE HOUSE,  
March 5, 1965.

[F.R. Doc. 65-2465; Filed, Mar. 5, 1965; 4:09 p.m.]



# Rules and Regulations

## ARTICLE I

Section 1. The purpose of this organization is to promote the welfare of its members and to advance the interests of the community at large.

Section 2. The members of this organization shall be those persons who are interested in the welfare of the community and who are willing to contribute to the advancement of the same.

Section 3. The members of this organization shall be entitled to the same rights and privileges as are enjoyed by the members of similar organizations in other parts of the world.

Section 4. The members of this organization shall be bound by the rules and regulations of the organization and shall be subject to the discipline of the same.

Section 5. The members of this organization shall be entitled to the same rights and privileges as are enjoyed by the members of similar organizations in other parts of the world.

Section 6. The members of this organization shall be bound by the rules and regulations of the organization and shall be subject to the discipline of the same.

Section 7. The members of this organization shall be entitled to the same rights and privileges as are enjoyed by the members of similar organizations in other parts of the world.

Section 8. The members of this organization shall be bound by the rules and regulations of the organization and shall be subject to the discipline of the same.

Section 9. The members of this organization shall be entitled to the same rights and privileges as are enjoyed by the members of similar organizations in other parts of the world.

Section 10. The members of this organization shall be bound by the rules and regulations of the organization and shall be subject to the discipline of the same.

Section 11. The members of this organization shall be entitled to the same rights and privileges as are enjoyed by the members of similar organizations in other parts of the world.

Section 12. The members of this organization shall be bound by the rules and regulations of the organization and shall be subject to the discipline of the same.



# Rules and Regulations

## Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Lemon Reg. 150, Amdt. 1]

### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

#### Limitation of Handling

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) Order, as amended. The provisions in paragraph (b) (1) (i) and (ii) of § 910.450 (Lemon Regulation 150, 30 F.R. 2591) are hereby amended to read as follows:

§ 910.450 Lemon Regulation 150.

- (b) Order. (1) . . . . .  
(i) District 1: 16,740 cartons;  
(ii) District 2: 218,550 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: March 4, 1965.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-2391; Filed, Mar. 8, 1965; 8:46 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 30]

### PART 1030—MILK IN CHICAGO, ILL., MARKETING AREA

#### Order Terminating Order, as Amended

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), hereinafter referred to as the "Act", and of the order, as amended, regulating the handling of milk in the Chicago, Ill., marketing area (7 CFR Part 1030), it is hereby found and determined that:

(a) The terms and provisions of the order, as amended, and currently effective (Part 1030, Title 7, Code of Federal Regulations) do not tend to effectuate the declared policy of the Act.

Public hearings on proposed amendments to the order, as amended, were held on January 8-11, 1963, and May 23-29, 1963, pursuant to notices issued December 20, 1962 (27 F.R. 12773), April 15, 1963 (28 F.R. 3858) and April 30, 1963 (28 F.R. 4463).

On November 30, 1964, the Assistant Secretary issued a final decision (29 F.R. 16395) on the issues considered at the aforesaid hearings, including the complete terms and provisions of a proposed amended order. The decision contained a finding, based on the evidence presented at said hearings, that the terms and provisions of the proposed amended order will tend to effectuate the declared policy of the Act.

The Assistant Secretary, on November 30, 1964, issued an order (29 F.R. 16408) directing that a referendum be conducted among producers to determine whether they approve the issuance of the proposed amended order. On January 13, 1965, the Under Secretary issued a finding (30 F.R. 625) that less than two-thirds of the producers who participated in the said referendum favor the issuance of the proposed amended order. At the same time, the Under Secretary gave notice of the proposed suspension or termination of Order No. 30, as now in effect, regulating the handling of milk in the Chicago, Ill., marketing area, and interested persons were given an opportunity to submit written data, views or arguments in connection with the proposed suspension or termination order.

On the basis of the records of aforementioned hearings and upon consideration of (1) the briefs filed on such hearing records, (2) the exceptions filed to the recommended decision which preceded the final decision, and (3) the data, views and arguments filed in connection with the proposed suspension or

termination, it is hereby found that the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, as now in force and effect, does not tend to effectuate the declared policy of the Act.

(b) Thirty days notice of the effective date hereof is impractical, unnecessary and contrary to the public interest. Interested persons were afforded opportunity to file written views, data or arguments on the proposed termination (30 F.R. 625). A number of interested persons responded expressing approval and others expressing disapproval of the proposed termination of the currently effective Chicago milk order. In view of the findings under (a) above:

It is therefore ordered, That the terms and provisions of Order No. 30, as amended, except §§ 1030.92 and 1030.93, regulating the handling of milk in the Chicago, Illinois, marketing area (7 CFR Part 1030) are hereby terminated effective at midnight March 31, 1965, subject, however, to the following conditions:

(1) That such termination of the said order shall not affect or waive any right, obligation, duty or liability under the said order with respect to milk delivered prior to April 1, 1965, or release or extinguish any violation of the said order, or affect or impair any right or remedy of the United States, the Secretary of Agriculture, or any other person with respect to any such violation that has arisen or occurred or that may arise or occur prior to the time that such termination becomes effective;

(2) That the provisions of §§ 1030.92 and 1030.93 of the order, relating to proceedings subsequent to the termination of such order, shall remain in force and effect for the purpose of enabling the market administrator, who is hereby designated to continue in such capacity, as the agency hereby directed to liquidate the affairs of the market administrator of the order pursuant to the provisions of the said order;

(3) That the market administrator shall, in accordance with the applicable provisions of § 1030.93, continue in such capacity and, from time to time, account for all funds, receipts and disbursements; and

(4) That the said market administrator, continuing in such capacity, as provided in said § 1030.93 shall have all of the powers and authority that may be necessary or proper in order to carry out the provisions thereof, and that such market administrator shall perform the duties specified therein.

(49 Stat. 753, as amended; 7 U.S.C. 608e)

Signed at Washington, D.C., on March 3, 1965.

GEORGE L. MEHREN,  
Assistant Secretary.

[F.R. Doc. 65-2392; Filed, Mar. 8, 1965; 8:46 a.m.]



(2) The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator was issued May 26, 1964, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued November 30, 1964. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective April 1, 1965, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the *Federal Register* (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8(c) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

(d) *Order relative to handling.* It is therefore ordered, that on and after the effective date hereof the handling of milk in the Northwestern Indiana marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

**DEFINITIONS**

§ 1031.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 et seq.).

the South Bend-LaPorte-Elkhart, Indiana marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight or such amount not to exceed 4 cents per hundredweight as the Secretary may prescribe, with respect to skim milk and butterfat in (i) producer milk (including such handler's own production), (ii) other source milk allocated to Class I pursuant to § 1031.46(a) (3) and (6) and the corresponding steps of § 1031.46(b), and (iii) Class I milk disposed of in the marketing area from a partially regulated distributing plant that exceeds the hundredweight of Class I milk received during the month at such plant from pool plants and other order plants.

(b) *Additional findings.* (1) It is necessary in the public interest to make this order amending the order effective not later than April 1, 1965. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

# DETERMINATION OF UNIFORM PRICES TO PRODUCERS

Sec. 1031.70 Computation of the net pool obligation of each pool handler.

1031.71 Computation of uniform price.

1031.72 Obligations of handlers operating a partially regulated distributing plant.

## PAYMENTS

1031.80 Time and method of payment.

1031.81 Producer butterfat and location differentials to producers and on nonpool milk.

1031.82 Producer-settlement fund.

1031.83 Payments to the producer-settlement fund.

1031.84 Payments out of the producer-settlement fund.

1031.85 Expense of administration.

1031.86 Marketing services.

1031.87 Adjustments of accounts.

1031.88 Termination of obligations.

## EFFECTIVE TIME, SUSPENSION, OR TERMINATION

1031.90 Effective time.

1031.91 Suspension or termination.

1031.92 Continuing obligations.

1031.93 Liquidation.

## MISCELLANEOUS PROVISIONS

1031.100 Agents.

1031.101 Separability of provisions.

Authority: The provisions of this Part 1031 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

## § 1031.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in

# PART 1031—MILK IN NORTHWESTERN INDIANA MARKETING AREA

## Order Amending Order

### DEFINITIONS

Sec. 1031.0 Findings and determinations.

1031.1 Act.

1031.2 Secretary.

1031.3 Department.

1031.4 Person.

1031.5 Market administrator.

1031.6 Northwestern Indiana marketing area.

1031.7 Route.

1031.8 Plant.

1031.9 Reload point.

1031.10 Pool plant.

1031.11 Nonpool plant.

1031.12 Producer.

1031.13 Cooperative association.

1031.14 Producer milk.

1031.15 Handler.

1031.16 Producer-handler.

1031.17 Other source milk.

1031.18 Fluid milk products.

1031.19 Butter price.

## MARKET ADMINISTRATOR

1031.20 Designation.

1031.21 Powers.

1031.22 Duties.

## REPORTS, RECORDS AND FACILITIES

1031.30 Monthly reports of receipts and utilization.

1031.31 Other reports.

1031.32 Records and facilities.

1031.33 Retention of records.

## CLASSIFICATION

1031.40 Skim milk and butterfat to be classified.

1031.41 Classes of utilization.

1031.42 Shrinkage.

1031.43 Responsibility of handlers and reclassification of milk.

1031.44 Transfers.

1031.45 Computation of skim milk and butterfat in each class.

1031.46 Allocation of skim milk and butterfat classified.

## MINIMUM PRICES

1031.50 Basic formula price.

1031.51 Class prices.

1031.52 Butterfat differentials to handlers.

1031.53 Location differentials to handlers.

1031.54 Computation of prices of skim milk and butterfat.

1031.55 Equivalent prices.

## APPLICATION OF PROVISIONS

1031.60 Exempt milk.

1031.61 Producer-handlers.



- § 1031.2 **Secretary.** "Secretary" means the Secretary of Agriculture or any other officer or employee of the United States authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.
- § 1031.3 **Department.** "Department" means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions of the United States Department of Agriculture specified in this part.
- § 1031.4 **Person.** "Person" means any individual, partnership, corporation, association, or any other business unit.
- § 1031.5 **Market administrator.** "Market administrator" means the person designated pursuant to § 1031.20 as the agency for the administration of this part.
- § 1031.6 **Northwestern Indiana marketing area.** "Northwestern Indiana marketing area" hereinafter called the "marketing area", means all the territory within the boundaries of the counties of Elkhart, Kosciusko, Lake, LaPorte, Marshall, Porter, St. Joseph and Starke, all in the State of Indiana, including all territory within such boundaries occupied by government (municipal, State or Federal) reservations, installations, institutions or other similar establishments.
- § 1031.7 **Route.** "Route" means any delivery either inside or outside the marketing area (including disposition by a vendor or from a plant store or from vending machines) of any item of Class I milk to a wholesaler or retail stop other than a plant (§ 1031.8), but excluding any disposition of skim milk or butterfat in the marketing area from a nonpool plant to any other plant or to a commercial processor of foods.
- § 1031.8 **Plant.** "Plant" means the entire land, building, surroundings, facilities and equipment, whether owned or operated by one or more persons, maintained and operated at the same location primarily for the receiving, processing or other handling of milk or milk products. This definition shall not include any building, premises, facilities, or equipment used primarily to hold or store bottled milk or milk products in finished form in transit for wholesale or retail distribution on a route(s).
- § 1031.9 **Reload point.** "Reload point" means any location at which milk moved from the farm in a tank truck is commingled with other milk before entering a plant, except that reloading operations on the premises of a plant shall be considered a part of the plant's operations.
- § 1031.10 **Pool plant.** "Pool plant" means any plant meeting the conditions of paragraph (a) of this section, or any plant or reload point meeting the conditions of paragraph (b) of this section, but not any plant exempt pursuant to § 1031.60, or the plant of a person defined in § 1031.16:
- (a) A plant in which milk is processed or packaged and from which not less than 10 percent of its total disposition of Class I milk during the month either by the operator of such plant or by another person is made within the marketing area on a route(s); *Provided*, That the total quantity of Class I milk disposed of from such plant during the month either inside or outside the marketing area is not less than 50 percent of such plant's total receipts of milk eligible for sale in fluid form as Grade A milk within the marketing area; or
- (b) Any plant or reload point from which during any month 50 percent or more of its total receipts for such month from farms of skim milk or butterfat eligible for sale in fluid form as Grade A milk within the marketing area is delivered to a plant(s) which has qualified pursuant to paragraph (a) of this section; *Provided*, That if during each of any 5 consecutive months during the period August through March, inclusive, a plant meets the delivery requirements set forth in this paragraph, such plant shall be a pool plant for the immediately following months of April, May, June, and July, unless the plant is withdrawn from such status upon request of the handler, which withdrawal would become effective on the first day of the month following in which the market withdrawal. Any plant so withdrawn
- from pool plant status may not regain status prior to the following August.
- § 1031.11 **Nonpool plant.** "Nonpool plant" means any milk receiving, manufacturing or processing plant other than a pool plant. The following categories of nonpool plants are further defined as follows:
- (a) "Other order plant" means a plant that is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act.
- (b) "Producer-handler plant" means a plant operated by a producer-handler as defined in any order (including this part) issued pursuant to the Act.
- (c) "Partially regulated distributing plant" means a nonpool plant that is neither an other order plant nor a producer handler plant and from which fluid milk products labeled Grade A in consumer-type packages or dispenser units are distributed on routes in the marketing area during the month.
- (d) "Unregulated supply plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant and from which a Grade A fluid milk product is shipped during the month to a pool plant.
- § 1031.12 **Producer.** "Producer" means any person, other than a producer-handler as defined in any order (including this part) issued pursuant to the Act, who produces milk eligible for sale in fluid form as Grade A milk within the marketing area which is either (a) received from the farm at a pool plant(s), or (b) caused to be temporarily diverted by the handler for his account from a pool plant to a nonpool plant; *Provided*, That such diverted milk shall be deemed to be received by such handler at the location of the pool plant from which it was diverted.
- § 1031.13 **Cooperative association.** "Cooperative association" means any cooperative marketing association of producers which the Secretary determines, after application by the association, to be qualified pursuant to the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act", and to be engaged in making collective sales or marketing of milk or its products for the producers thereof.
- § 1031.14 **Producer milk.** Except as provided in § 1031.60, "producer milk" or "milk received from producers" means milk produced by one or more dairy farmers who are producers (as defined in § 1031.12).
- § 1031.15 **Handler.** "Handler" means:
- (a) Any person in his capacity as the operator of a pool plant(s);
- (b) Any cooperative association with respect to producer milk caused to be delivered for the account of such association from the farms of producers to the pool plant(s) of another handler(s) and milk customarily received as producer milk at a pool plant which is diverted by such association for its account to a nonpool plant;
- (c) Any person who operates a partially regulated distributing plant;
- (d) Any person in his capacity as the operator of an other order plant from which during the month fluid milk products are either distributed on routes in the marketing area or shipped to a pool plant; or
- (e) A producer-handler.
- § 1031.16 **Producer-handler.** "Producer-handler" means any handler who produces milk eligible for sale in fluid form as Grade A milk within the marketing area but receives no milk directly from other dairy farmers; *Provided*, That the maintenance, care and management of the dairy animals and other resources necessary to produce such milk and the processing, or distribution of such milk are his personal enterprise and at his personal risk.
- § 1031.17 **Other source milk.** "Other source milk" means all skim milk and butterfat received in any form, except in a nonfluid milk product disposed of in the same form as received, from sources other than producer milk and a pool plant(s).
- § 1031.18 **Fluid milk product.** "Fluid milk product" means milk, skim milk, buttermilk, flavored milk, flavored milk drinks, sour cream and sour cream products labeled Grade A, cream or any mixture in fluid form of cream and milk or skim milk; *Provided*, That eggnog, ice cream milk, frozen dessert milk, aerated cream products, evaporated and condensed milk or skim milk and steril-



handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 1031.85:

- (1) The cost of his bond and of the bonds of his employees;
- (2) His own compensation; and
- (3) All other expenses, except those incurred under § 1031.86, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this part, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who withdraws in 10 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to §§ 1031.30 and 1031.31 or (2) payments pursuant to §§ 1031.80 to 1031.87;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) Verify all reports and payments of each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends;

(i) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate on or before:

- (1) The 7th day of each month the Class I milk price pursuant to § 1031.51 (a) and the Class I butterfat differential pursuant to § 1031.52(a), both for the current month, and the Class II milk price pursuant to § 1031.51(b) and the Class II butterfat differential pursuant to § 1031.52(b), both for the preceding month, and
- (2) The 14th day after the end of each month the uniform price computed pursuant to § 1031.71 and the butterfat and location differentials pursuant to § 1031.81;

(j) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

(k) Whenever required for purpose of allocating receipts from other order plants pursuant to § 1031.46(a) (7) and the corresponding step of § 1031.46(b), the market administrator shall estimate and publicly announce the utilization (to the nearest whole percentage) in each class during the month of skim milk and butterfat, respectively, in producer milk of all handlers. Such estimate shall be based upon the most current available data and shall be final for such purpose;

(l) Report to the market administrator of the other order, as soon as possible after the report of receipts and utilization for the month is received from a handler who has received fluid milk products from an other order plant, the classification to which such receipts are allocated pursuant to § 1031.46 pursuant to such report, and thereafter any change in such allocation required to correct errors disclosed in verification of such report; and

(m) Furnish to each handler operating a pool plant who has shipped fluid milk products to an other order plant, the classification to which the skim milk and butterfat in such fluid milk products were allocated by the market administrator of the other order on the basis of the report of the receiving handler; and, as necessary, any changes in such classification arising in the verification of such report.

#### REPORTS, RECORDS AND FACILITIES

##### § 1031.30 Monthly reports of receipts and utilization.

(a) On or before the 9th day of each month and in the detail and on forms prescribed by the market administrator, each person who is a handler pursuant to § 1031.15 (a) or (b) shall report to the market administrator for the preceding month with respect to all milk and milk products, except any milk product defined as Class II milk which is disposed of in the form in which received without further processing or packaging by the handler, received at each pool plant, the following:

- (1) The quantities of skim milk and the quantities of butterfat contained in milk received from producers (including such handler's own production) producer-handlers, and other handlers;
- (2) The quantities of skim milk and quantities of butterfat contained in other source milk, with the sources thereof;

(3) The utilization of all skim milk and butterfat required to be reported pursuant to this paragraph, including the quantities of skim milk and butterfat on hand at the beginning and end of each month as milk and milk products; and

(4) Such other information with respect to all receipts and utilization as the market administrator may prescribe.

(b) Each handler specified in § 1031.15(c) who operates a partially regulated distributing plant shall report as required in paragraph (a) of this section, except that receipts of Grade A milk from dairy farmers shall be reported in lieu of those in producer milk. Such report shall include a separate statement showing the respective amounts of skim milk and butterfat disposed of on routes in the marketing area as Class I milk.

##### § 1031.31 Other reports.

(a) Each producer-handler who handles during the month only milk of his own production shall make reports to the market administrator at such times and in such manner as the market administrator shall prescribe.

(b) On or before the 25th day of each month, each handler shall submit to the market administrator such handler's producer payroll for the preceding month which shall show for each producer and cooperative association (1) the total pounds of milk delivered with the average butterfat test thereof, (2) the net amount of the payment to each producer and to each cooperative association, together with the prices, deductions and charges involved.

##### § 1031.32 Records and facilities.

Each handler shall permit the market administrator to make such examination of his operations, equipment and facilities as the market administrator deems necessary and shall maintain and make available to the market administrator during the usual hours of business, such accounts and records of operations and such facilities as the market administrator deems necessary to verify or to establish the correct data with respect to (a) the receipts and utilization in whatever form of all skim milk and butterfat received, including nonfluid milk products disposed of in the form in which received without further processing or packaging; (b) the weights, and tests for butterfat and for other content, of all other skim milk or butterfat handled; (c) payments

lized products in hermetically sealed metal containers shall not be fluid milk products pursuant to this section.

##### § 1031.19 Butter price.

"Butter price" means the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamy butter at Chicago as reported during the month by the Department.

#### MARKET ADMINISTRATOR

##### § 1031.20 Designation.

The agency for the administration hereof shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

##### § 1031.21 Powers.

The market administrator shall have the following powers with respect to this part:

- (a) To administer its terms and provisions;
- (b) To receive, investigate, and report to the Secretary complaints of violations;
- (c) To make rules and regulations to effectuate its terms and provisions; and
- (d) To recommend amendments to the Secretary.

##### § 1031.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to, the following:

- (a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;
- (b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;
- (c) Obtain in an amount and with surety thereon satisfactory to the Secretary a bond covering each employee who



(3) of this paragraph in his report submitted to the market administrator pursuant to § 1031.30 for the month within which such transaction occurred;

(2) The operator of such nonpool plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available if requested by the market administrator for the purpose of verification; and

(3) The skim milk and butterfat so transferred shall be classified on the basis of the following assignment of utilization at such nonpool plant in excess of receipts of packaged fluid milk products from all pool plants and other order plants:

(i) Any Class I utilization disposed of on routes in the marketing area shall be first assigned to the skim milk and butterfat in the fluid milk products so transferred or diverted from pool plants, next pro rata to receipts from other order plants and thereafter to receipts from dairy farmers who the market administrator determines constitute regular sources of supply of Grade A milk for such nonpool plant;

(ii) Any Class I utilization disposed of on routes in the marketing area of another order issued pursuant to the Act shall be first assigned to receipts from plants fully regulated by such order, next pro rata to receipts from pool plants and other order plants not regulated by such order, and thereafter to receipts from dairy farmers who the market administrator determines constitute regular sources of supply for such nonpool plant;

(iii) Class I utilization in excess of that assigned pursuant to subdivisions (i) and (ii) of this subparagraph shall be assigned first to remaining receipts from dairy farmers who the market administrator determines constitute the regular source of supply for such nonpool plant and Class I utilization in excess of such receipts shall be assigned pro rata to unassigned receipts at such nonpool plant from all pool and other order plants; and

(iv) To the extent that Class I utilization is not so assigned to it, the skim milk and butterfat so transferred shall be classified as Class II milk;

(d) As producer milk in the transferee plant, if transferred as bulk milk to the

that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

#### § 1031.44 Transfers.

Skim milk or butterfat in the form of a fluid milk product shall be classified:

(a) At the utilization indicated by the operators of both plants, otherwise as Class I milk, if transferred from a pool plant to the pool plant of another handler, subject in either event to the following conditions:

(1) The skim milk or butterfat so assigned to each class shall be limited to the amount thereof remaining in such class in the transferee plant after computations pursuant to § 1031.46(a)(7) and the corresponding step of § 1031.45(b);

(2) If the transferor plant received during the month other source milk to be allocated pursuant to § 1031.46(a)(3), the skim milk and butterfat so transferred shall be classified so as to allocate the least possible Class I utilization to such other source milk; and

(3) If the transferor handler received during the month other source milk to be allocated pursuant to § 1031.46(a)(6) or (7) and the corresponding steps of § 1031.46(b), the skim milk and butterfat so transferred up to the total of such receipts shall not be classified as Class I milk to a greater extent than would be applicable to a like quantity of such other source milk received at the transferee plant;

(b) As Class I milk, if transferred from a pool plant to a producer-handler;

(c) As Class I milk, if transferred or diverted in bulk to a nonpool plant that is neither an other order plant nor a producer-handler plant, unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph;

(1) The transferring or diverting handler claims classification pursuant to the assignment set forth in subparagraph

and used at commercial food establishments devoted exclusively to the manufacture of bakery products, candy or processed foods in hermetically sealed containers;

(3) Skim milk in fluid milk products disposed of for livestock feed or dumped if the market administrator has been notified in advance and afforded the opportunity to verify such dumping;

(4) Skim milk represented by the nonfat milk solids added to a fluid milk product which is in excess of the weight of an equivalent volume of the fluid milk products prior to such addition;

(5) Skim milk and butterfat in monthly inventory variations;

(6) Skim milk and butterfat, respectively (except in milk diverted to a nonpool plant) in shrinkage but not in excess of:

(i) 2.0 percent of producer milk;

(ii) Plus 2.0 percent of receipts of fluid milk products in bulk from other order plants, exclusive of the quantity for which Class II utilization was requested by the operators of both plants;

(iii) Plus 2.0 percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quantity for which Class II utilization was requested by the handler; and

(iv) Less 2.0 percent of fluid milk products transferred in bulk to other order plants; and

(7) In shrinkage assigned pursuant to § 1031.42(b)(2).

#### § 1031.42 Shrinkage.

The market administrator shall allocate shrinkage over a handler's receipts as follows:

(a) Compute the total shrinkage of the skim milk and butterfat, respectively, for each handler; and

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat contained in:

(1) The net quantity of producer milk and other fluid milk products specified in § 1031.41(b)(6); and

(2) Other source milk exclusive of that specified in § 1031.41(b)(6).

#### § 1031.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I milk, unless the handler who first receives such skim milk or butterfat proves to the market administrator

to producers and cooperative associations; and (d) the pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream, and each milk product on hand at the beginning and at the end of each month.

#### § 1031.33 Retention of records.

All books and records required under this order to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the month to which such books and records pertain: Provided, That if within such 3-year period the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice, the handler shall retain such books and records or specified books and records until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

#### CLASSIFICATION

##### § 1031.40 Skim milk and butterfat to be classified.

All skim milk and butterfat, in any form, received within the month by a handler, in producer milk in other source milk and from another handler shall be classified by the market administrator pursuant to the provisions of §§ 1031.41 to 1031.46, inclusive.

##### § 1031.41 Classes of utilization.

Subject to the conditions of § 1031.44, the classes of utilization shall be as follows:

(a) Class I milk: Class I milk shall be all skim milk and butterfat:

(1) Disposed of as a fluid milk product (except as provided in paragraph (b) (2), (3) and (4) of this section); and

(2) Not accounted for as Class II milk.

(b) Class II milk: Class II milk shall be:

(1) Skim milk and butterfat used to produce any product other than a fluid milk product;

(2) Skim milk and butterfat in fluid milk products delivered in bulk form to



butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) computed at 0.12 times the butter price and rounded to the nearest cent.

#### § 1031.51 Class prices.

Subject to the provisions of §§ 1031.52 and 1031.53, the class prices per hundredweight for the month shall be as follows:

(a) *Class I milk price.* The price for Class I milk shall be the basic formula price for the preceding month plus \$1.40 August through November, \$1.00 March through June and \$1.20 in other months. Provided, That such Class I price shall be increased or decreased, respectively, 2 cents for each full percent that the adjusted supply-demand ratio computed pursuant to Part 1030 (Chicago) of this Chapter is greater or less than 72 percent, but shall not be increased or decreased more than 24 cents because of such adjusted supply-demand ratio;

(b) *Class II milk price.* The Class II milk price shall be the basic formula price for the month.

#### § 1031.52 Butterfat differentials to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices for the month pursuant to § 1031.51 shall be increased or decreased, respectively, for each one-tenth percent butterfat at a rate, rounded to the nearest one-tenth cent, determined as follows:

(a) *Class I price.* Multiply the butter price for the preceding month by 0.120.

(b) *Class II price.* Multiply the butter price for the month by 0.113.

#### § 1031.53 Location differentials to handlers.

(a) The Class I price for producer milk and other source milk (for which a location adjustment is applicable) received at a plant or reload point located 60 miles or more by the shortest hard-surfaced highway distance as determined by the market administrator from the nearest of the City Hall, Gary, Ind.; St. Joseph County Court House, South Bend, Ind.; and White County Court House, Monticello, Ind.; shall be reduced 10 cents for the first 70 miles or less and 1.6 cents for each additional 10 miles or fraction thereof that such plant or reload point is from the nearest of such places:

(b) For the purpose of calculating location differentials, receipts of fluid milk

II utilization was requested by the operator of such plant and the handler;

(5) Add to the remaining pounds of skim milk in Class II milk the pounds subtracted pursuant to subparagraph (1) of this paragraph;

(6) Subtract from the pounds of skim milk remaining in each class, pro rata to such quantities, the pounds of skim milk in receipts of fluid milk products from unregulated supply plants which were not subtracted pursuant to subparagraph (4) (i) of this paragraph;

(7) Subtract from the pounds of skim milk remaining in each class, in the following order, the pounds of skim milk in receipts of fluid milk products in bulk from an other order plant(s), in excess in each case of similar transfers to the same plant, which were not subtracted pursuant to subparagraph (4) (ii) of this paragraph;

(i) In series beginning with Class II, the pounds determined by multiplying the pounds of such receipts by the larger of the percentage of estimated Class II utilization of skim milk announced for the month by the market administrator pursuant to § 1031.22(k) or the percentage that Class II utilization remaining is of the total remaining utilization of skim milk of the handler; and

(ii) From Class I, the remaining pounds of such receipts;

(8) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received in fluid milk products from other pool plants according to the classification assigned pursuant to § 1031.44(a);

(9) If the pounds of skim milk remaining in each class exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class II. Any amount so subtracted shall be known as "overage";

(b) Butterfat shall be allocated in accordance with the procedure outlined for skim milk in paragraph (a) of this section.

#### MINIMUM PRICES

#### § 1031.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent

port submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in each class for such handler.

#### § 1031.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1031.45, the market administrator shall determine the classification of milk for each handler as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II, the pounds of skim milk classified as Class II pursuant to § 1031.41(b) (6);

(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received in packaged form from other order plants as follows:

(i) From Class II milk, the lesser of the pounds remaining or two percent of such receipts; and

(ii) From Class I milk, the remainder of such receipts;

(3) Subtract in the order specified below from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in each of the following:

(i) Other source milk in a form other than that of a fluid milk product;

(ii) Receipts of fluid milk products for which Grade A certification is not established, or which are from unidentified sources; and

(iii) Receipts of fluid milk products from a producer-handler, as defined under this or any other Federal order;

(4) Subtract, in the order specified below, from the pounds of skim milk remaining in Class II but not in excess of such quantity:

(i) Receipts of fluid milk products from an unregulated supply plant;

(a) For which the handler requests Class II utilization; or

(b) Which are in excess of the pounds of skim milk determined by subtracting from 125 percent of the pounds of skim milk remaining in Class I milk the sum of the pounds of skim milk in producer milk, receipts from pool plants of other handlers, and receipts in bulk from other order plants; and

(ii) Receipts of fluid milk products in bulk from an other order plant in excess of similar transfers to such plant, if Class

pool plant of another handler by a cooperative association from its pool plant or in its capacity as a handler pursuant to § 1031.15(b). Such milk shall be excluded from producer milk to be classified as that of the cooperative association; and

(e) As follows, if transferred to an other order plant in excess of receipts from such plant in the same category as described in subparagraph (1), (2) or (3) of this paragraph:

(1) If transferred in packaged form, classification shall be in the classes to which allocated as a fluid milk product under the other order;

(2) If transferred in bulk form, classification shall be in the classes to which allocated as a fluid milk product under the other order (including allocation under the conditions set forth in subparagraph (3) of this paragraph);

(3) If the operators of both the transferor and transferee plants so request in the reports of receipts and utilization filed with their respective market administrators, transfers in bulk form shall be classified as Class II to the extent of the Class II utilization (or comparable utilization under such other order) available for such assignment pursuant to the allocation provisions of the transferee order;

(4) If information concerning the classification to which allocated under the other order is not available to the market administrator for purposes of establishing classification pursuant to this paragraph, classification shall be as Class I, subject to adjustment when such information is available;

(5) For purposes of this paragraph, if the transferee order provides for more than two classes of utilization, milk allocated to a class consisting primarily of fluid milk products shall be classified as Class I, and milk allocated to other classes shall be classified as Class II; and

(6) If the form in which any fluid milk product is transferred to an other order plant is not defined as a fluid milk product under such other order, classification shall be in accordance with the provisions of § 1031.41.

#### § 1031.45 Computation of skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and for other obvious errors the monthly re-



§ 1031.72 Obligations of handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund on or before the 25th day after the end of the month either of the amounts (at the handler's election) calculated pursuant to paragraph (a) or (b) of this section. If the handler fails to report pursuant to § 1031.30(b) the information necessary to compute the amount specified in paragraph (a) of this section, he shall pay the amount computed pursuant to paragraph (b) of this section:

(a) An amount computed as follows:

(1) The obligation that would have been computed pursuant to § 1031.70 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class II milk if allocated to such class at the pool plant or other order plant and be valued at the uniform price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1031.70(d) and a credit in the amount specified in § 1031.83(b) (2) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified below in this subparagraph.

(ii) If the operator of the partially regulated distributing plant so requests, and provides with his report pursuant to § 1031.30(b) a similar report with respect to the operations of any other nonpool plant which serves as a supply plant for such partially regulated distributing plant by shipments to such plant during the month equivalent to the requirements of § 1031.10(b), with agreement of the operator of such plant that the market administrator may examine the books and records of such plant for purposes of verification of such reports, there will be added the amount of the obligation computed at such nonpool supply plant in the

(b) Add the amount obtained from multiplying the average deducted from each class pursuant to § 1031.46(a) (9) and the corresponding step of § 1031.46 (b) by the applicable class prices;

(c) Add an amount equal to the difference between the Class I and Class II price values at the pool plant of the skim milk and butterfat subtracted from Class I pursuant to § 1031.46(a) (3) and the corresponding step of § 1031.46(b); and

(d) Add the value at the Class I price, adjusted for location of the nearest nonpool plant(s) from which an equivalent volume was received, of the skim milk and butterfat subtracted from Class I pursuant to § 1031.46(a) (6) and the corresponding step of § 1031.46(b).

§ 1031.71 Computation of uniform price.

For each month the market administrator shall compute a uniform price as follows:

(a) Combine into one total the values computed pursuant to § 1031.70 for all handlers who filed the reports prescribed by § 1031.30 for the month and who made the payments pursuant to § 1031.83 for the preceding month;

(b) Add an amount equal to the total value of the location differentials computed pursuant to § 1031.81(b);

(c) Subtract, if the average butterfat content of the milk specified in paragraph (a) of this section is more than 3.5 percent, or add, if such butterfat content is less than 3.5 percent, an amount computed by multiplying the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 1031.81(a) and multiplying the result by the total hundredweight of such milk;

(d) Add an amount equal to not less than one-half of the unobligated balance in the producer-settlement fund;

(e) Divide the resulting amount by the sum of the following for all handlers included in these computations:

(1) The total hundredweight of producer milk; and

(2) The total hundredweight for which a value is computed pursuant to § 1031.70(d); and

(f) Subtract not less than four cents nor more than 5 cents per hundredweight.

marketing agreement or order issued pursuant to the Act either on a route(s) or through a plant(s) regulated by such other marketing agreement or order than is disposed of from such plant in the Northwestern Indiana marketing area either on a route(s) or through another pool plant(s); and

(2) Such milk would be subject to the class price and producer payment provisions of the other marketing agreement or order upon being made exempt from this part.

(b) Milk received at a plant qualified as a pool plant under § 1031.10(b) shall be exempt from the provisions of this part as producer milk if such milk is subject to class prices at a plant regulated under another marketing agreement or order issued pursuant to the Act: Provided, That the proviso set forth in paragraph (a) of this section shall apply.

(c) In the case of producer milk received directly from a farm at a pool plant which milk (1) has been diverted (without being physically received therein) from a plant at which farm receipts of milk are subject to the class price provisions of another marketing agreement or order issued pursuant to the Act, (2) is reflected on the producer's payroll of the plant from which diverted, and (3) is not specifically exempt from class pricing by the terms of such other marketing agreement or order, the Secretary shall make a determination as to the extent to which the terms of this part shall apply to such milk.

§ 1031.61 Producer-handlers.

Sections 1031.40 to 1031.46, 1031.50 to 1031.54, 1031.70 and 1031.71, 1031.80 to 1031.84, and 1031.86 to 1031.88 shall not apply to a producer-handler.

DETERMINATION OF UNIFORM PRICES TO PRODUCERS

§ 1031.70 Computation of the net pool obligation of each pool handler.

The net pool obligation of each pool handler during each month shall be a sum of money computed by the market administrator as follows:

(a) Multiply the quantity of producer milk (including any such milk caused to be delivered to such handler from the farms of producers for the account of a cooperative association) in each class, as computed pursuant to § 1031.46, by the applicable class prices;

products from pool plants shall be assigned any remainder of Class I milk at the transfer plant that is in excess of the sum of receipts at such plant from producers and handlers pursuant to § 1031.15(b) and that assigned as Class I to receipts from other order plants and unregulated supply plants. Such assignment shall be made in sequence according to the location differential applicable at each plant beginning with the plant at which the lowest location differential is applicable.

§ 1031.54 Computation of prices of skim milk and butterfat.

The prices per hundredweight of skim milk and butterfat to be paid by each handler for milk in each class shall be computed as follows: For each class, respectively, the price per hundredweight of skim milk shall be the applicable class price for the month less the result of multiplying the applicable class butterfat differential for the month by 35. For each class, respectively, the price per hundredweight of butterfat shall be the applicable class price for the month plus the result of multiplying the applicable class butterfat differential for the month by 965.

§ 1031.55 Equivalent prices.

If for any reason a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price that is required.

APPLICATION OF PROVISIONS

§ 1031.60 Exempt milk.

(a) Milk received at a plant qualified as a pool plant under § 1031.10(a) shall be exempt from the provisions of this part if the conditions of subparagraphs (1) and (2) of this section are met: Provided, That the handler of such milk shall make reports to the market administrator with respect to his total receipts and utilization of skim milk and butterfat at such times and in such manner as the market administrator may require and allow verification of such reports by the market administrator in accordance with § 1031.33:

(1) The Secretary determines that a greater quantity of milk is disposed of in fluid form from such plant to another regulated area as defined in another



the value at the Class II price) with respect to other source milk for which a value is computed pursuant to § 1031.70 (d).

§ 1031.84 Payments out of the producer-settlement fund.

On or before the 17th day after the end of each month, the market administrator shall pay to each handler the amount if any, by which the amount computed pursuant to § 1031.83(b) exceeds the amount computed pursuant to § 1031.83(a). The market administrator shall offset any payment due any handler against payments due from such handler. *Provided*, That with respect to milk for which a cooperative association receives payment from a handler pursuant to § 1031.80(b), the market administrator shall pay to such cooperative association on or before the 17th day after the end of the month, the amount by which the utilization value of such milk is less than the value computed at the uniform price. *And provided further*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly per hundredweight such payments and shall complete such payments as soon as the necessary funds are available.

§ 1031.85 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 16th day after the end of the month 4 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production), (b) other source milk allocated to Class I pursuant to § 1031.46(a) (3) and (6) and the corresponding steps of § 1031.46(b), and (c) Class I milk disposed of in the marketing area from a partially regulated distributing plant that exceeds the hundredweight of Class I milk received during the month at such plant from pool plants and other order plants.

§ 1031.86 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to § 1031.80(a) shall make a deduction of 4 cents per hundredweight of milk, or such lesser deduction as the Secretary

§ 1031.81 Producer butterfat and location differentials to producers and on nonpool milk.

(a) The uniform price pursuant to § 1031.71 shall be increased or decreased for each one-tenth percent that the butterfat content of such milk is above or below 3.5 percent, respectively, at the rate determined by multiplying the pounds of butterfat allocated to Class I and Class II milk pursuant to § 1031.46 by the respective butterfat differential for each class, dividing the sum of such values by the total pounds of butterfat, and rounding the resulting figure to the nearest one-tenth cent.

(b) The uniform price for milk received at a plant shall be reduced according to the location of the plant at the rates set forth in § 1031.83.

§ 1031.82 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit payments made by handlers pursuant to § 1031.72 and § 1031.83 and payments related thereto pursuant to § 1031.87 and out of which he shall make all payments to handlers pursuant to § 1031.84 and payments related thereto pursuant to § 1031.87.

§ 1031.83 Payments to the producer-settlement fund.

On or before the 16th day after the end of the month, each handler shall pay to the market administrator the amount if any, by which the total amounts specified in paragraph (a) of this section exceed the amounts specified in paragraph (b) of this section: *Provided*, That with respect to milk for which a cooperative association receives payment from a handler pursuant to § 1031.80(b), each cooperative association shall pay to the market administrator on or before the 16th day after the end of the month, the amount by which the utilization value of such milk is greater than the value computed at the uniform price:

(a) The net pool obligation computed pursuant to § 1031.70 for such handler; and

(b) The sum of:

- (1) The value of such handler's producer milk at the applicable uniform price; and
- (2) The value at the uniform price (s) applicable at the location of the plant (a), from which received (not to be less than

weight reduction in payment from the market administrator: *And provided further*, That such handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this paragraph next following that on which such balance of payment is received from the market administrator.

(b) On or before the 15th day after the end of each month, to a cooperative association with respect to milk caused to be delivered from producers' farms to such handler by such association for its account during such month, not less than the value of skim milk and butterfat in such milk computed at the minimum class prices, less payments to such association made pursuant to paragraph (c) of this section. For the purpose of determining the classification of skim milk and butterfat in such milk, such skim milk and butterfat shall be ratably apportioned among the quantities of skim milk and butterfat in such handler's Class I and Class II milk allocated to producer milk pursuant to § 1031.46.

(c) On or before the 4th day after the end of such month each handler shall pay to each producer, or to a cooperative association authorized to collect payment, not less than the amount per hundredweight provided in the schedule set forth in this paragraph, for milk received from such producer or caused to be delivered to such handler by such cooperative association during the first 15 days of such month: *Provided*, That in the event any producer or cooperative association discontinues shipping to such handler during any month, such partial payments shall not be made and full payment for all milk received from such producer or cooperative association during such month shall be made on or before the 18th day after the end of such month pursuant to paragraphs (a) and (b) of this section:

When the uniform price for the preceding month is—

Under \$1.....

\$1 to \$1.99.....

\$2 to \$2.99.....

\$3 to \$3.99.....

\$4 to \$4.99.....

\$5 to \$5.99.....

\$6 to \$6.99.....

\$7 and over.....

The amount of the partial payment shall be

\$0.00

1.00

2.00

3.00

same manner and subject to the same conditions as for the partially regulated distributing plant.

(2) From this obligation there will be deducted the sum of (i) the gross payments made by such handler for Grade A milk received during the month from dairy farmers at such plant and like payments made by the operator of a supply plant(s) included in the computations pursuant to subparagraph (1) of this paragraph, and (ii) any payments to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant.

(b) An amount computed as follows:

(1) Determine the respective amounts of skim milk and butterfat disposed of as Class I milk on routes in the marketing area.

(2) Deduct (except that deducted under a similar provision of another order issued pursuant to the Act) the respective amounts of skim milk and butterfat received as Class I milk at the partially regulated distributing plant from pool plants and other order plants;

(3) Combine the amounts of skim milk and butterfat remaining into one total and determine the weighted average butterfat content; and

(4) From the value of such milk at the Class I price applicable at the location of the nonpool plant, subtract its value at the uniform price pursuant to § 1031.71 at the same location or at the Class II price, whichever is higher.

PAYMENTS

§ 1031.80 Time and method of payment.

Each handler shall make payments as follows:

(a) On or before the 18th day after the end of each month, to each producer, except producers for whom payment is made to a cooperative association pursuant to paragraph (b) of this section, at not less than the uniform price adjusted by the producer butterfat and location differentials pursuant to § 1031.81, for all milk received from such producer during such month and less payment to such producer made pursuant to paragraph (c) of this section: *Provided*, That if by such date such handler has not received full payment for such month pursuant to § 1031.84, he may reduce such payments uniformly per hundredweight for all producers by an amount not in excess of the per hundred-



of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

#### MISCELLANEOUS PROVISIONS

##### § 1031.100 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

##### § 1031.101 Separability of provisions.

If any provision of this part, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

Effective date: April 1, 1965.

Signed at Washington, D.C., on March 3, 1965.

GEORGE L. MEHREN,

Assistant Secretary.

[F.R. Doc. 65-2330; Filed, Mar. 8, 1965; 8:46 a.m.]

#### Chapter XIV—Commodity Credit Corporation, Department of Agriculture

##### SUBCHAPTER E—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1965—Crop Oats Supp.]

#### PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

##### Subpart—1965 Crop Oats Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops (29 F.R. 2688) issued by the

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate 2 years after the end of the month during which the milk involved in the claim was received if an underpayment is claimed, or 2 years after the end of the month during which the payment (including deduction or setoff by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c(15) (A) of the Act, a petition claiming such money.

##### EFFECTIVE TIME, SUSPENSION, OR TERMINATION

##### § 1031.90 Effective time.

The provisions of this part or of any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

##### § 1031.91 Suspension or termination.

The Secretary shall, whenever he finds that this part or any provision thereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this part or any such provision thereof.

##### § 1031.92 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

##### § 1031.93 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so desired by the Secretary, liquidate the business

following the 6th day after such notice. (b) An unpaid obligation of a handler or of the market administrator shall bear interest at the rate of one-half of 1 percent per month, such interest to accrue on the first day of the month next following the date of such obligation and on the first day of each month thereafter until such obligation is paid.

##### § 1031.88 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

- (1) The amount of the obligation;
- (2) The month(s) during which the milk, with respect to which the obligation exists was received or handled; and
- (3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

from time to time may prescribe, with respect to the following:

- (1) All milk received from producers (except milk of such handler's own production) at a plant not operated by a cooperative association; and
- (2) All milk received at a plant operated by a cooperative association from producers who are not members of such association. Such deductions shall be paid by the handler to the market administrator on or before the 16th day after the end of each month. Such moneys shall be expended by the market administrator for verification of weights, samples and tests of milk received from such producers and in providing market information to such producers, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of each producer, except a producer for whom payments are collected by a cooperative association pursuant to § 1031.80(b), (1) who is a member of, or who has given written authorization for the rendering of marketing services and the taking of deduction therefor, to a cooperative association, (2) whose milk is received at a plant not operated by such association, and (3) for whom the Secretary determines that such association is performing the services described in paragraph (a) of this section, each handler shall deduct, in lieu of the deduction specified under paragraph (a) of this section, from the payments made pursuant to § 1031.80(a) the amount per hundredweight on milk authorized by such producer and shall pay over, on or before the 16th day after the end of such month, such deduction to the association entitled to receive it under this paragraph.

##### § 1031.87 Adjustments of accounts.

(a) Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (1) the market administrator from such handler, (2) such handler from the market administrator or, (3) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any such amount due; and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred



Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1965 crop of oats as follows:

Sec.	
1421.2640	Purpose.
1421.2641	Availability of price support.
1421.2642	Eligible oats.
1421.2643	Determination of quality.
1421.2644	Determination of quantity.
1421.2645	Warehouse receipts.
1421.2646	Service charges.
1421.2647	Warehouse charges.
1421.2648	Maturity of loans.
1421.2649	Support rates.

**AUTHORITY:** The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

#### § 1421.2640 Purpose.

This supplement contains additional program provisions which, together with the applicable provisions of the General Regulations Governing Price Support for the 1964 and Subsequent Crops and any amendments thereto, apply to loans and purchases for the 1965-crop oats. (Such regulations are referred to herein as "General Regulations".)

#### § 1421.2641 Availability and disbursement.

Producers desiring price support must file an application not later than January 31, 1966. Loans shall be available through March 31, 1966 in States having a maturity date of April 30, and through January 31, 1966 in States having a maturity date of February 28.

#### § 1421.2642 Eligible oats.

(a) *General.* The oats must be merchantable for use as food or feed or for other uses, as determined by CCC, and must not contain mercurial compounds or other substances poisonous to man or animals in order to be eligible for price support.

(b) *Warehouse stored loan grade requirements.* Oats to be placed under a warehouse storage loan also must meet the following requirements:

(1) The oats must grade No. 3 or better, except that (i) they may grade No. 4 on the factor of test weight, and because of being badly stained or materially weathered, and (ii) they may have the special grade designation "Garlicky".

(2) The oats must not grade "Weevily" or have moisture over 14 percent unless the warehouse receipt representing the oats is accompanied by a supplemental certificate which provides that the warehouseman shall deliver oats which are not "Weevily", do not contain in excess of 14 percent moisture, and are otherwise of an eligible grade and quality. The grade, quality and quantity shown on the supplemental certificate shall be as provided in § 1421.2645(b).

(3) The oats must not grade Smutty, Ergoty, Bleached or Thin or otherwise of a distinctly low quality.

#### § 1421.2643 Determination of quality.

The grade, grading factors and all other quality factors shall be based on

the Official Grain Standards of the United States for Oats, whether or not the determination is made on the basis of an official inspection.

#### § 1421.2644 Determination of quantity.

When the quantity is determined by weight, a bushel shall be 32 pounds of oats. In determining the quantity of sacked oats by weight, a deduction of  $\frac{3}{4}$  of a pound for each sack shall be made.

(a) *In warehouse.* The quantity of oats on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the oats have been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight of 1.2 times the percentage difference between the moisture content of the oats, when received, and 14 percent.

(b) *On farm.* The quantity eligible to be placed under farm-storage loan will be determined in accordance with § 1421.67. The quantity acquired by CCC from farm storage under a loan or purchase shall be determined by weight.

#### § 1421.2645 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate receipt must be submitted for each grade and class of oats.

(b) *Entries for weight and grade.* Each warehouse receipt, or the warehouseman's supplemental certificate properly identified with the warehouse receipt must show: (1) Net weight and bushels, (2) class, (3) grade (including special grades), (4) test weight, (5) moisture if in excess of 14 percent, (6) any other grading factor(s) when such factor(s) and not test weight determine the grade.

(c) *Where warehouse receipt shows "Weevily" or moisture over 14 percent.* If a warehouse receipt tendered for a warehouse storage loan indicates the oats grade "Weevily" or contain over 14 percent moisture the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.2642. The grade, grading factors and the quantity to be delivered must be shown on the supplemental certificate as follows:

(1) When the warehouse receipt shows "Weevily" and the oats have been conditioned to remove the "Weevily" designation, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt.

(2) When the warehouse receipt shows the oats contain more than 14 percent moisture and the oats have been dried or blended, the supplemental certificate must show the grade, grading factors and quantity after drying or blending the oats to a moisture content of not

over 14 percent. The quantity shown on the supplemental certificate shall reflect a drying or blending shrink as specified in § 1421.2644.

(3) The supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt.

(4) In the case of conditions in subparagraphs (1) and (2) of this paragraph, the grade and grading factors and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipts.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.2647.

#### § 1421.2646 Service charges.

A charge of one half cent per bushel will be made for the quantity acquired by CCC and shall be handled in accordance with § 1421.60(b).

#### § 1421.2647 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the oats represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the oats are deposited in the warehouse for storage. Warehouse receipts and the oats represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the oats when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table shown below provides the deduction for storage charges to be made from the amount of the loan or purchase price in the case of oats stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on oats stored in warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following:

- (1) The date of deposit;
- (2) The date storage charges start; or
- (3) The day following the date through which the storage charges have been paid.

If none of the foregoing dates is shown, the date of the warehouse receipt shall be used.



Maturity date of Feb. 28, 1965	Deduction (cents per bushel)	Maturity date of Apr. 30, 1966
(1)	(1)	(1)
Prior to Apr. 25, 1965	11	Prior to Apr. 28, 1965
Apr. 25 to May 30, 1965	10	Apr. 28 to June 2, 1965
May 31 to July 5, 1965	9	June 3 to July 8, 1965
July 6 to Aug. 11, 1965	8	July 9 to Aug. 14, 1965
Aug. 12 to Sept. 17, 1965	7	Aug. 15 to Sept. 20, 1965
Sept. 18 to Oct. 24, 1965	6	Sept. 21 to Oct. 27, 1965
Oct. 25 to Nov. 30, 1965	5	Oct. 28 to Dec. 3, 1965
Dec. 1, 1965 to Jan. 6, 1966	4	Dec. 4, 1965 to Jan. 9, 1966
Jan. 7 to Feb. 28, 1966	3	Jan. 10 to Feb. 15, 1966
	2	Feb. 16 to Mar. 24, 1966
	1	Mar. 25 to Apr. 30, 1966

1 Dates storage charges start, all dates inclusive.

(c) **Deduction of storage charges—Eastern common carriers.** In the case of oats stored in an approved warehouse operated by an Eastern common carrier, there shall be deducted in computing the loan or purchase price the amount of the approved tariff rate for storage (not including elevation), which will accumulate from the date of deposit through the applicable maturity date unless written evidence is submitted with the warehouse receipt that such charges have been prepaid. Where the producer presents evidence showing the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

#### § 1421.2648 Maturity of loans.

Unless demand is made earlier, loans on oats stored in the States of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia, mature on February 28, 1966, and loans on oats stored in all other States mature on April 30, 1966.

#### § 1421.2649 Support rates.

(a) **Basic support rates.** The basic county support rates for use in making loans and for use in settling loans and for purchases are listed below. Farm stored loans shall be made at the basic support rate for the county in which the oats were produced, adjusted by the Weed Control discount where applicable. Warehouse stored loans, farm storage loan settlements and purchases shall be made on the basis of the basic support rate for the county in which the oats were produced adjusted by the premiums and discounts shown in paragraph (b) of this section and any other discounts established by CCC, applicable to the grade and quality of the commodity on which the loan or settlement is made. The basic county support rate applies to oats grading No. 3, having moisture not in excess of 14 percent.

County	ALABAMA	Rate per bushel
All counties		\$0.71

No. 45—3

County	ALASKA	Rate per bushel
All counties		\$1.20

County	ARIZONA	Rate per bushel
All counties		\$0.78

County	ARKANSAS	Rate per bushel
All counties		\$0.68

County	CALIFORNIA	Rate per bushel
All counties		\$0.70

County	Rate per bushel	County	Rate per bushel
Alameda	\$0.74	Plumas	\$0.70
Alpine	.72	Riverside	.74
Amador	.72	Sacramento	.72
Butte	.71	San Benito	.73
Calaveras	.72	San Bernar-	
Colusa	.72	dino	.74
Contra Costa	.74	San Diego	.74
Del Norte	.70	San Fran-	
El Dorado	.72	cisco	.74
Fresno	.73	San Joaquin	.73
Glenn	.71	San Luis	
Humboldt	.72	Obispo	.73
Imperial	.74	San Mateo	.74
Inyo	.74	Santa	
Kern	.74	Barbara	.73
Kings	.73	Santa Clara	.74
Lake	.72	Santa Cruz	.73
Lassen	.69	Shasta	.69
Los Angeles	.75	Sierra	.70
Madera	.73	Siskiyou	.68
Marin	.74	Solano	.74
Mariposa	.73	Sonoma	.73
Mendocino	.72	Stanislaus	.73
Merced	.73	Sutter	.72
Modoc	.68	Tehama	.70
Mono	.73	Trinity	.72
Monterey	.73	Tulare	.73
Napa	.73	Tuolumne	.72
Nevada	.70	Ventura	.74
Orange	.74	Yolo	.73
Placer	.71	Yuba	.71

County	COLORADO	Rate per bushel
All counties		\$0.65

County	CONNECTICUT	Rate per bushel
All counties		\$0.71

County	DELAWARE	Rate per bushel
All counties		\$0.70

County	FLORIDA	Rate per bushel
All counties		\$0.75

County	GEORGIA	Rate per bushel
All counties		\$0.71

IDAHO	
Ada	\$0.65
Adams	.63
Bannock	.63
Bear Lake	.63
Benewah	.63
Bingham	.61
Blaine	.63
Boise	.65
Bonner	.61
Bonneville	.61
Boundary	.61
Butte	.61
Camas	.64
Canyon	.65
Caribou	.62
Cassia	.64
Clark	.61
Clearwater	.63
Custer	.61
Elmore	.65
Franklin	.63
Fremont	.61
Gem	\$0.65
Gooding	.64
Idaho	.62
Jefferson	.61
Jerome	.64
Kootenai	.63
Latah	.64
Lemhi	.61
Lewis	.63
Lincoln	.64
Madison	.61
Minidoka	.64
Nez Perce	.64
Oneida	.63
Owyhee	.65
Payette	.65
Power	.63
Shoshone	.61
Teton	.61
Twin Falls	.64
Valley	.63
Washington	.64

ILLINOIS			
Adams	\$. 61	Christian	\$. 61
Alexander	. 64	Clark	. 62
Bond	. 62	Clay	. 63
Boone	. 61	Clinton	. 63
Brown	. 61	Coles	. 61
Bureau	. 61	Cook	. 63
Calhoun	. 62	Crawford	. 63
Carroll	. 61	Cumberland	. 62
Cass	. 61	De Kalb	. 61
Champaign	. 61	De Witt	. 61

ILLINOIS—Continued			
County	Rate per bushel	County	Rate per bushel

County	Rate per bushel	County	Rate per bushel
Du Page	.61	Mason	.61
Edgar	.61	Massac	.64
Edwards	.64	Menard	.61
Effingham	.62	Merced	.61
Fayette	.62	Monroe	.64
Ford	.61	Montgomery	.62
Franklin	.64	Morgan	.61
Fulton	.61	Moultrie	.61
Gallatin	.65	Ogle	.61
Greene	.62	Peoria	.61
Grundy	.61	Perry	.64
Hamilton	.64	Piatt	.61
Hancock	.61	Pike	.61
Hardin	.65	Pope	.65
Henderson	.61	Pulaski	.64
Henry	.61	Putnam	.61
Iroquois	.61	Randolph	.64
Jackson	.64	Richland	.63
Jasper	.63	Rock Island	.61
Jefferson	.64	St. Clair	.64
Jersey	.62	Saline	.65
Jo Daviess	.61	Sangamon	.61
Johnson	.64	Schuyler	.61
Kane	.61	Scott	.61
Kankakee	.61	Shelby	.61
Kendall	.61	Stark	.61
Knox	.61	Stephenson	.61
Lake	.62	Tazewell	.61
La Salle	.61	Union	.64
Lawrence	.63	Vermillion	.61
Lee	.61	Wabash	.64
Livingston	.61	Warren	.61
Logan	.61	Washington	.64
McDonough	.61	Wayne	.64
McHenry	.61	White	.64
McLean	.61	Whiteside	.61
Macon	.61	Will	.62
Macoupin	.62	Williamson	.64
Madison	.63	Winnebago	.61
Marion	.63	Woodford	.61

INDIANA	
Adams	\$0.62
Allen	\$0.62
Anderson	\$0.62
Armstrong	\$0.62
Barth	\$0.62
Bates	\$0.62
Bay	\$0.62
Beaumont	\$0.62
Bellevue	\$0.62
Bell	\$0.62
Benton	\$0.62
Berkeley	\$0.62
Bethel	\$0.62
Bethlehem	\$0.62
Bethune	\$0.62
Beverly	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62
Bible	\$0.62

County	Rate per bushel	County	Rate per bushel
Allen	.62	La Porte	.63
Bartholomew	.63	Lawrence	.64
Benton	.61	Madison	.62
Blackford	.62	Marion	.62
Boone	.62	Marshall	.62
Brown	.64	Martin	.64
Carroll	.62	Miami	.62
Cass	.62	Monroe	.64
Clark	.64	Montgomery	.62
Clay	.62	Morgan	.62
Clinton	.62	Newton	.61
Crawford	.64	Noble	.62
Daviess	.64	Ohio	.65
Dearborn	.65	Orange	.64
Decatur	.63	Owen	.62
De Kalb	.62	Parke	.61
Delaware	.62	Perry	.64
Dubois	.64	Pike	.64
Elkhart	.63	Porter	.62
Fayette	.62	Posey	.64
Floyd	.64	Pulaski	.62
Fountain	.61	Putnam	.62
Franklin	.64	Randolph	.62
Fulton	.62	Ripley	.65
Gibson	.64	Rush	.62
Grant	.62	St. Joseph	.63
Greene	.64	Scott	.65
Hamilton	.62	Shelby	.62
Hancock	.62	Spencer	.64
Harrison	.64	Starke	.62
Hendricks	.62	Steuben	.63
Henry	.62	Sullivan	.63
Howard	.62	Switzerland	.65
Huntington	.62	Tiptecanoe	.62
Jackson	.64	Tipton	.62
Jasper	.61	Union	.62
Jay	.62	Vanderburgh	.64
Jefferson	.65	Vermillion	.61
Jennings	.65	Vigo	.62
Johnson	.62	Wabash	.62
Knox	.62	Warren	.61
Kosciusko	.64	Warrick	.64
Lagrange	.63	Washington	.64



## RULES AND REGULATIONS

## INDIANA—Continued

County	Rate per bushel	County	Rate per bushel
Wayne	\$0.62	White	\$0.62
Wells	.62	Whitley	.62
Iowa			
Adair	\$0.61	Jefferson	\$0.61
Adams	.61	Johnson	.61
Allamakee	.61	Jones	.61
Appanoose	.61	Keokuk	.61
Audubon	.60	Kossuth	.60
Benton	.61	Lee	.61
Black Hawk	.61	Linn	.61
Boone	.60	Louisa	.61
Bremer	.61	Lucas	.61
Buchanan	.61	Lyon	.58
Buena Vista	.60	Madison	.61
Butler	.60	Mahaska	.61
Calhoun	.60	Marion	.61
Carroll	.60	Marshall	.60
Cass	.61	Mills	.61
Cedar	.61	Mitchell	.60
Cerro Gordo	.60	Monona	.59
Cherokee	.59	Monroe	.61
Chickasaw	.61	Montgomery	.61
Clarke	.61	Muscatine	.61
Clay	.60	O'Brien	.59
Clayton	.61	Oceola	.58
Clinton	.61	Page	.61
Crawford	.59	Palo Alto	.60
Dallas	.60	Plymouth	.59
Davis	.62	Pocahontas	.60
Decatur	.61	Polk	.60
Delaware	.61	Pottawattamie	.61
Des Moines	.61	Poweshiek	.60
Dickinson	.59	Ringgold	.61
Dubuque	.61	Sac	.60
Emmet	.59	Scott	.61
Fayette	.61	Shelby	.60
Floyd	.60	Stolux	.58
Franklin	.60	Story	.60
Fremont	.61	Tama	.60
Greene	.60	Taylor	.61
Grundy	.60	Union	.61
Guthrie	.60	Van Buren	.61
Hamilton	.60	Wapello	.61
Hancock	.60	Warren	.61
Hardin	.60	Washington	.61
Harrison	.60	Wayne	.61
Henry	.61	Webster	.60
Howard	.61	Winnebago	.60
Humboldt	.60	Winneshiek	.61
Ida	.59	Woodbury	.59
Iowa	.61	Worth	.60
Jackson	.61	Wright	.60
Jasper	.60		

## KANSAS

Allen	\$0.64	Gove	\$0.65
Anderson	.64	Graham	.64
Atchison	.64	Grant	.66
Barber	.67	Gray	.66
Barton	.65	Greeley	.65
Bourbon	.65	Greenwood	.65
Brown	.63	Hamilton	.66
Butler	.66	Harper	.67
Chase	.65	Harvey	.65
Chautauqua	.66	Haskell	.66
Cherokee	.66	Hodgeman	.65
Cheyenne	.64	Jackson	.64
Clark	.67	Jefferson	.64
Clay	.63	Jewell	.62
Cloud	.63	Johnson	.65
Coffey	.64	Kearny	.66
Comanche	.67	Kingman	.66
Cowley	.66	Kiowa	.66
Crawford	.65	Labette	.66
Decatur	.63	Lane	.65
Dickinson	.64	Leavenworth	.65
Doniphan	.64	Lincoln	.63
Douglas	.64	Linn	.64
Edwards	.65	Logan	.65
Elk	.65	Lyon	.64
Ellis	.64	McPherson	.65
Ellsworth	.64	Marion	.65
Finney	.66	Marshall	.63
Ford	.66	Meade	.67
Franklin	.64	Miami	.64
Geary	.64	Mitchell	.63

## KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Montgomery	\$0.66	Saline	\$0.64
Morris	.64	Scott	.65
Morton	.67	Sedgwick	.66
Nemaha	.63	Shawnee	.67
Neosho	.65	Sheridan	.64
Ness	.65	Sherman	.64
Norton	.63	Smith	.62
Osage	.64	Stafford	.65
Osborne	.63	Stanton	.66
Ottawa	.63	Stevens	.67
Pawnee	.65	Sumner	.67
Phillips	.62	Thomas	.64
Pottawatomie	.63	Trego	.64
Pratt	.66	Wabaunsee	.64
Rawlins	.64	Wallace	.65
Reno	.65	Washington	.62
Republic	.62	Wichita	.65
Rice	.65	Wilson	.65
Riley	.63	Woodson	.64
Rooks	.63	Wyandotte	.65
Rush	.65		
Russell	.64		

## KENTUCKY

All counties	\$0.71
--------------	--------

## LOUISIANA

All counties	\$0.70
--------------	--------

## MAINE

All counties	\$0.71
--------------	--------

## MARYLAND

All counties	\$0.70
--------------	--------

## MASSACHUSETTS

All counties	\$0.71
--------------	--------

## MICHIGAN

Alcona	\$0.62	Keweenaw	\$0.63
Alger	.64	Lake	.64
Allegan	.64	Lapeer	.62
Alpena	.62	Leelanau	.63
Antrim	.63	Lenawee	.63
Arenac	.62	Livingston	.63
Baraga	.63	Luce	.64
Barry	.64	Mackinac	.64
Bay	.62	Macomb	.63
Benzie	.63	Manistee	.64
Berrien	.63	Marquette	.63
Branch	.63	Mason	.64
Calhoun	.63	Mecosta	.63
Cass	.63	Menominee	.63
Charlevoix	.63	Midland	.62
Cheybogan	.63	Missaukee	.63
Chippewa	.64	Monroe	.63
Clare	.63	Montcalm	.63
Clinton	.63	Montmorency	.62
Crawford	.62	Muskegon	.64
Delta	.63	Newaygo	.64
Dickinson	.63	Oakland	.63
Eaton	.63	Oceana	.64
Emmet	.63	Ogemaw	.62
Genesee	.63	Ontonagon	.63
Gladwin	.62	Oscoda	.63
Gogebic	.63	Oscoda	.62
Grand		Otsego	.63
Traverse	.63	Ottawa	.64
Gratiot	.63	Presque Isle	.62
Hillsdale	.63	Roscommon	.62
Houghton	.63	Saginaw	.62
Huron	.62	Saint Clair	.63
Ingham	.63	Saint Joseph	.63
Ionia	.63	Sanilac	.62
Iscro	.62	Schoolcraft	.64
Iron	.63	Shiawassee	.62
Isabella	.63	Tuscola	.62
Jackson	.63	Van Buren	.64
Kalamazoo	.64	Washtenaw	.63
Kalkaska	.63	Wayne	.63
Kent	.64	Wexford	.64

## MINNESOTA

Altlin	\$0.57	Blue Earth	\$0.58
Anoka	.59	Brown	.57
Becker	.53	Carlton	.58
Beltrami	.52	Carver	.59
Benton	.57	Cass	.55
Big Stone	.54	Chippewa	.55

## MINNESOTA—Continued

County	Rate per bushel	County	Rate per bushel
Chisago	\$0.59	Murray	\$0.55
Clay	.52	Nicollet	.58
Clearwater	.52	Nobles	.56
Cook	.59	Norman	.51
Cottonwood	.56	Olmsted	.58
Crow Wing	.56	Otter Tail	.54
Dakota	.59	Pennington	.51
Dodge	.58	Pine	.58
Douglas	.55	Pipestone	.55
Faribault	.58	Polk	.51
Fillmore	.59	Pope	.55
Freeborn	.58	Ramsey	.59
Goodhue	.58	Red Lake	.51
Grant	.54	Redwood	.56
Hennepin	.59	Renville	.57
Houston	.59	Rice	.58
Hubbard	.54	Rock	.56
Isanti	.58	Roseau	.51
Itasca	.55	St. Louis	.58
Jackson	.57	Scott	.59
Kanabec	.58	Sherburne	.58
Kandiyohi	.57	Sibley	.58
Kittson	.50	Stearns	.57
Koochiching	.54	Steele	.58
Lac Qui Parle	.55	Stevens	.54
Lake	.59	Swift	.55
Lake of the Woods	.52	Todd	.56
Le Sueur	.58	Traverse	.53
Lincoln	.55	Wabasha	.58
Lyon	.55	Wadena	.55
McLeod	.58	Waseca	.59
Mahnomen	.52	Washington	.59
Marshall	.50	Watsonwan	.57
Martin	.57	Wilkin	.53
Meeker	.57	Winona	.59
Miller Lake	.57	Wright	.58
Morrison	.56	Yellow Medi-	
Mower	.58	cine	.55

## MISSISSIPPI

All counties	\$0.70
--------------	--------

## MISSOURI

Adair	\$0.63	Hickory	\$0.64
Andrew	.63	Holt	.63
Atchison	.62	Howard	.64
Audrain	.62	Howell	.66
Barry	.66	Iron	.65
Barton	.65	Jackson	.64
Bates	.64	Jasper	.65
Benton	.64	Jefferson	.64
Bollinger	.65	Johnson	.64
Boone	.64	Knox	.62
Buchanan	.65	Laclede	.65
Butler	.65	LaPayette	.64
Caldwell	.65	Lawrence	.65
Callaway	.64	Lewis	.61
Camden	.65	Lincoln	.63
Cape Girard		Linn	.64
eau	.64	Livingston	.66
Carroll	.64	McDonald	.63
Carter	.65	Macon	.65
Cass	.64	Madison	.65
Cedar	.64	Maries	.61
Chariton	.64	Marion	.63
Christian	.66	Mercer	.63
Clark	.61	Miller	.65
Clay	.65	Mississippi	.64
Clinton	.65	Moniteau	.63
Cole	.65	Monroe	.62
Cooper	.65	Montgomery	.64
Crawford	.65	Morgan	.65
Dade	.64	New Madrid	.65
Dallas	.65	Newton	.65
Dayles	.64	Nodaway	.66
De Kalb	.64	Oregon	.66
Dent	.65	Osage	.66
Douglas	.66	Ozark	.65
Dunklin	.65	Pemiscott	.64
Franklin	.65	Perry	.65
Gasconade	.65	Pettis	.65
Gentry	.63	Phelps	.61
Greene	.65	Pike	.65
Grundy	.63	Platte	.64
Harrison	.63	Polk	.64
Henry	.64	Pulaski	.65



## MISSOURI—Continued

County	Rate per bushel	County	Rate per bushel
Putnam	\$0.63	Scott	\$0.64
Ralls	.61	Shannon	.65
Randolph	.63	Shelby	.62
Ray	.65	Stoddard	.65
Reynolds	.65	Stone	.66
Ripley	.66	Sullivan	.63
St. Charles	.63	Taney	.66
St. Clair	.64	Texas	.65
Ste. Genevieve	.64	Vernon	.64
St. Francois	.65	Warren	.64
St. Louis	.64	Washington	.65
Saline	.64	Wayne	.65
Schuyler	.63	Webster	.65
Scotland	.63	Worth	.62
		Wright	.65

## MONTANA

Beaverhead	\$0.60	Madison	\$0.58
Big Horn	.55	Meagher	.55
Blaine	.51	Mineral	.60
Broadwater	.56	Missoula	.59
Carbon	.55	Musselshell	.53
Cartier	.53	Park	.56
Cascade	.55	Petroleum	.52
Chouteau	.53	Phillips	.50
Custer	.52	Pondera	.54
Daniels	.49	Powder River	.53
Dawson	.49	Powell	.58
Deer Lodge	.58	Prairie	.51
Fallon	.50	Ravalli	.59
Fergus	.53	Richland	.49
Flathead	.58	Roosevelt	.48
Gallatin	.56	Rosebud	.53
Garfield	.51	Sanders	.60
Glacier	.55	Sheridan	.48
Golden Valley	.54	Silver Bow	.58
Granite	.59	Stillwater	.55
Hill	.52	Sweet Grass	.55
Jefferson	.57	Teton	.54
Judith Basin	.54	Toole	.54
Lake	.59	Treasure	.54
Lewis and Clark	.57	Valley	.50
Liberty	.53	Wheatland	.54
Lincoln	.60	Wilboux	.50
McCone	.50	Yellowstone	.55

## NEBRASKA

Adams	\$0.60	Hall	\$0.59
Antelope	.57	Hamilton	.59
Arthur	.58	Harlan	.61
Banner	.58	Hayes	.61
Blaine	.57	Hitchcock	.62
Boone	.58	Holt	.57
Box Butte	.58	Hooker	.57
Boyd	.56	Howard	.58
Brown	.57	Jefferson	.61
Buffalo	.59	Johnson	.62
Burt	.59	Kearney	.60
Butler	.60	Keith	.59
Cass	.61	Keya Paha	.56
Cedar	.58	Kimball	.59
Chase	.61	Knox	.57
Cherry	.57	Lancaster	.61
Cheyenne	.59	Lincoln	.59
Clay	.60	Logan	.58
Colfax	.59	Loup	.57
Cuming	.59	McPherson	.58
Custer	.58	Madison	.58
Dakota	.59	Merrick	.58
Dawes	.58	Morrill	.58
Dawson	.59	Nance	.58
Deuel	.59	Nemaha	.62
Dixon	.59	Nuckolls	.61
Dodge	.60	Otoe	.61
Douglas	.61	Pawnee	.62
Dundy	.62	Perkins	.60
Fillmore	.60	Phelps	.60
Franklin	.61	Pierce	.57
Frontier	.60	Platte	.58
Furnas	.61	Polk	.59
Gage	.62	Red Willow	.61
Garden	.58	Richardson	.62
Garfield	.57	Rock	.57
Gosper	.60	Saline	.61
Grant	.57	Sarpy	.61
Greeley	.58	Saunders	.61

## NEBRASKA—Continued

County	Rate per bushel	County	Rate per bushel
Scotts Bluff	\$0.58	Thurston	\$0.59
Seward	.60	Valley	.58
Sheridan	.58	Washington	.60
Sherman	.58	Wayne	.58
Sioux	.58	Webster	.61
Stanton	.58	Wheeler	.57
Thayer	.61	York	.59
Thomas	.57		

## NEVADA

All counties	\$0.75
--------------	--------

## NEW HAMPSHIRE

All counties	\$0.71
--------------	--------

## NEW JERSEY

All counties	\$0.71
--------------	--------

## NEW MEXICO

All counties	\$0.72
--------------	--------

## NEW YORK

All counties	\$0.70
--------------	--------

## NORTH CAROLINA

All counties	\$0.71
--------------	--------

## NORTH DAKOTA

Adams	\$0.49	McKenzie	\$0.47
Barnes	.51	McLean	.47
Benson	.49	Mercer	.47
Billings	.48	Mountrail	.46
Bottineau	.47	Morton	.48
Bowman	.49	Nelson	.50
Burke	.46	Oliver	.48
Burleigh	.49	Pembina	.49
Cass	.51	Pierce	.48
Cavalier	.49	Ramsey	.49
Dickey	.51	Ransom	.51
Divide	.46	Renville	.47
Dunn	.47	Richland	.51
Eddy	.50	Rolette	.47
Emmons	.49	Sargent	.51
Foster	.50	Sheridan	.48
Golden Valley	.48	Sioux	.49
Grand Forks	.50	Slope	.48
Grant	.48	Stark	.48
Griggs	.50	Steele	.50
Hettinger	.48	Stutsman	.51
Kidder	.50	Towner	.48
La Moure	.51	Trall	.50
Logan	.50	Walsh	.49
McHenry	.47	Ward	.47
McIntosh	.50	Wells	.49
		Williams	.46

## OHIO

Adams	\$0.68	Harrison	\$0.69
Allen	.64	Henry	.64
Ashland	.65	Highland	.67
Ashtabula	.69	Hocking	.67
Athens	.69	Holmes	.67
Auglaize	.64	Huron	.65
Belmont	.70	Jackson	.68
Brown	.67	Jefferson	.70
Butler	.64	Knox	.65
Carroll	.69	Lake	.68
Champaign	.65	Lawrence	.68
Clark	.65	Licking	.65
Clermont	.66	Logan	.65
Clinton	.66	Lorain	.66
Columbiana	.69	Lucas	.64
Coshocton	.67	Madison	.65
Crawford	.65	Mahoning	.69
Cuyahoga	.67	Marion	.65
Darke	.63	Medina	.67
Defiance	.63	Meigs	.69
Delaware	.65	Mercer	.63
Erie	.65	Miami	.64
Fairfield	.65	Monroe	.70
Fayette	.65	Montgomery	.64
Franklin	.65	Morgan	.69
Fulton	.64	Morrow	.65
Gallia	.69	Muskingum	.68
Geauga	.68	Noble	.69
Greene	.65	Ottawa	.65
Guernsey	.69	Paulding	.63
Hamilton	.65	Perry	.67
Hancock	.64	Pickaway	.65
Hardin	.64	Pike	.68

## OHIO—Continued

County	Rate per bushel	County	Rate per bushel
Portage	\$0.68	Trumbull	\$0.69
Preble	.63	Tuscarawas	.68
Putnam	.64	Union	.65
Richland	.65	Van Wert	.63
Ross	.66	Vinton	.68
Sandusky	.65	Warren	.65
Scioto	.68	Washington	.70
Seneca	.65	Wayne	.67
Shelby	.64	Williams	.64
Stark	.68	Wood	.64
Summit	.67	Wyandot	.65

## OKLAHOMA

All counties	\$0.68
--------------	--------

## OREGON

Baker	\$0.65	Lake	\$0.67
Benton	.70	Lane	.69
Clackamas	.70	Lincoln	.70
Clatsop	.70	Linn	.69
Columbia	.70	Malheur	.65
Coccos	.69	Marion	.70
Crook	.68	Morrow	.67
Curry	.69	Multnomah	.70
Deschutes	.68	Polk	.70
Douglas	.69	Sherman	.68
Gilliam	.68	Tillamook	.70
Grant	.67	Umatilla	.66
Harney	.68	Union	.66
Hood River	.70	Wallowa	.68
Jackson	.69	Wasco	.65
Jefferson	.68	Washington	.70
Josephine	.69	Wheeler	.68
Klamath	.67	Yamhill	.70

## PENNSYLVANIA

All counties	\$0.70
--------------	--------

## RHODE ISLAND

All counties	\$0.71
--------------	--------

## SOUTH CAROLINA

All counties	\$0.71
--------------	--------

## SOUTH DAKOTA

Armstrong	\$0.52	Hype	\$0.52
Aurora	.53	Jackson	.52
Beadle	.53	Jerauld	.53
Bennett	.53	Jones	.52
Bon Homme	.55	Kingsbury	.53
Brookings	.54	Lake	.53
Brown	.51	Lawrence	.51
Brule	.53	Lincoln	.56
Buffalo	.53	Lyman	.52
Butte	.61	McCook	.54
Campbell	.50	McPherson	.50
Charles Mix	.54	Marshall	.51
Clark	.52	Meade	.51
Clay	.57	Mellette	.53
Codington	.53	Miner	.53
Corson	.50	Minnehaha	.55
Custer	.54	Moody	.54
Davison	.53	Pennington	.52
Day	.52	Perkins	.50
Deuel	.54	Potter	.51
Dewey	.51	Roberts	.52
Douglas	.54	Sanborn	.53
Edmunds	.51	Shannon	.54
Fall River	.54	Spink	.52
Faulk	.51	Stanley	.52
Grant	.54	Sully	.52
Gregory	.53	Todd	.53
Haakon	.52	Tripp	.58
Hamlin	.53	Turner	.56
Hand	.52	Union	.57
Hanson	.53	Walworth	.51
Harding	.50	Washnobaugh	.53
Hughes	.52	Yankton	.56
Hutchinson	.55	Ziebach	.51

## TENNESSEE

All counties	\$0.71
--------------	--------

## TEXAS

All counties	\$0.70
--------------	--------

## UTAH

All counties	\$0.72
--------------	--------

## VERMONT

All counties	\$0.71
--------------	--------



County	VIRGINIA	Rate per bushel
All counties		\$0.70

WASHINGTON			
County	Rate per bushel	County	Rate per bushel
Adams	\$0.65	Lewis	\$0.70
Asotin	.65	Lincoln	.65
Benton	.67	Mason	.70
Chelan	.68	Okanogan	.68
Clallam	.70	Pacific	.70
Clark	.70	Pend Oreille	.63
Columbia	.65	Pierce	.70
Cowlitz	.70	San Juan	.70
Douglas	.67	Skanit	.70
Ferry	.66	Skamania	.70
Franklin	.65	Snohomish	.70
Garfield	.65	Spokane	.64
Grant	.66	Stevens	.64
Grays Harbor	.70	Thurston	.70
Island	.70	Wahkiakum	.70
Jefferson	.70	Walla Walla	.65
King	.70	Whitman	.64
Kitsap	.70	Whitman	.64
Kittitas	.68	Yakima	.68
Klickitat	.68		

County	WEST VIRGINIA	Rate per bushel
All counties		\$0.71

WISCONSIN			
County	Rate per bushel	County	Rate per bushel
Adams	\$0.61	Marathon	\$0.61
Ashland	.61	Marquette	.62
Barron	.69	Menominee	.61
Bayfield	.60	Milwaukee	.63
Brown	.60	Monroe	.61
Buffalo	.59	Oconto	.61
Burnett	.59	Oneida	.62
Calumet	.60	Outagamie	.60
Chippewa	.60	Ozaukee	.62
Clark	.60	Pepin	.59
Columbia	.61	Pierce	.59
Crawford	.62	Polk	.59
Dane	.62	Portage	.61
Dodge	.61	Price	.61
Door	.60	Racine	.63
Douglas	.59	Richland	.62
Dunn	.60	Rock	.63
Eau Claire	.60	Rusk	.60
Florence	.62	St. Croix	.59
Fond du Lac	.60	Sauk	.62
Forest	.62	Sawyer	.60
Grant	.62	Shawano	.61
Green	.62	Sheboygan	.61
Green Lake	.61	Taylor	.61
Iowa	.63	Trempealeau	.60
Iron	.62	Vernon	.61
Jackson	.61	Vilas	.62
Jefferson	.62	Walworth	.62
Juneau	.61	Washburn	.59
Kenosha	.63	Washington	.62
Kewaunee	.60	Waukesha	.63
La Crosse	.60	Waupaca	.61
Lafayette	.63	Waushara	.61
Langlade	.61	Winnebago	.60
Lincoln	.61	Wood	.61
Manitowoc	.60		

County	WYOMING	Rate per bushel
All counties		\$0.62

## (b) Premiums and discounts.

Premiums:	Cents per bushel
Grade No. 2 or better	1
Test weight:	
Heavy	1
Extra heavy	2
Discounts:	
Grade No. 4 on the factor of test weight only but otherwise No. 3 or better	3
Grade No. 4 because of being "badly stained or materially weathered"	7
No. 4 on the factor of test weight and because of being "badly stained" or "materially weathered"	10

\* Premiums shall not be applicable to "badly stained or materially weathered oats".

Discounts—Continued	Cents per bushel
Garlicky <sup>1</sup>	3
Weed control discount (where required by § 1421.74) <sup>1</sup>	10

<sup>1</sup> These discounts shall be in addition to other applicable discounts.

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on March 2, 1965.

H. D. GODFREY,  
Executive Vice President,  
Commodity Credit Corporation.

[P.R. Doc. 65-2332; Filed, Mar. 8, 1965; 8:45 a.m.]

## Title 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service, Department of Justice

#### PART 205—PETITION FOR IMMIGRANT STATUS AS RELATIVE OF UNITED STATES CITIZEN, LAWFUL RESIDENT ALIEN, OR ELIGIBLE ORPHAN

#### PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

##### Miscellaneous Amendments

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

##### § 205.3 [Amended]

1. The second sentence of paragraph (a) General of § 205.3 Evidence of United States citizenship is deleted.

2. Part 205 is amended by adding § 205.9 to read as follows:

##### § 205.9 Evidence of status of beneficiary of visa petition who is in the United States.

A petition filed by a United States citizen or a lawful permanent resident alien in behalf of a beneficiary who was admitted to the United States as a non-immigrant or acquired such status after admission and is in the United States shall be accompanied by the beneficiary's passport and by his Form I-94 if one was issued to him.

##### § 212.2 [Amended]

3. The second sentence of § 212.2 Consent to reapply for admission after deportation, removal, or departure at Government expense is amended to read as follows: "If the applicant is abroad, the application shall be filed with the district director having jurisdiction over the place where the deportation or removal proceedings were held; however, an alien who is abroad and is filing Form I-212 in conjunction with a request for a waiver under section 212 (g) or (h) of the Act, or an alien who is in the United States and will file application for a waiver under section 212 (g) or (h) with an American consul, should file Form

I-212 and the application for the waiver simultaneously with the American consul."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure.

Dated: March 4, 1965.

RAYMOND F. FARRELL,  
Commissioner of  
Immigration and Naturalization.

[P.R. Doc. 65-2413; Filed, Mar. 8, 1965; 8:48 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Docket No. 2033; Amdts. 25-1; 91-13; 121-2]

#### PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

##### PART 91—GENERAL OPERATING AND FLIGHT RULES

#### PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

#### Regulations, Procedures, and Equipment for Passenger Emergency Evacuation; Flight Attendants; and Assignment of Emergency Evacuation Functions for Crewmembers

The purpose of these amendments is to provide for improved emergency evacuation procedures and equipment for passenger-carrying aircraft. These actions were proposed in Notice 63-42 (28 F.R. 11507) issued October 23, 1963, and they were the subject of a Public Hearing held June 25, 1964, pursuant to Notice published April 28, 1964 (29 F.R. 5640), after postponement from May 26, 1964.

The proposals concerned amendments to the following Civil Air Regulations: Part 4b—Airplane Airworthiness; Transport Categories; Part 40—Scheduled Interstate Air Carrier Certification and Operations Rules; Part 41—Certification and Operations Rules for Certificated Route Air Carriers Engaging in Overseas and Foreign Air Transportation and Air Transportation within Hawaii and Alaska; and Revised Part 42—Aircraft Certification and Operation Rules for Supplemental Air Carriers, Commercial Operators Using Large Aircraft, and Certificated Route Air Carriers Engaging in Charter Flights or Other Special Services.

The proposals as discussed at the Public Hearing were changed in some de-



tails from those published in Notice 63-42, after study of the comments received in response to that Notice, and further analysis of the problems involved. They also were changed in some minor details after study of the presentations made at the Public Hearing.

The amendments do the following:

(1) Require air carriers and commercial operators using large aircraft to physically demonstrate the adequacy of procedures established for passenger emergency evacuation on each type and model of airplane used in passenger-carrying operations that has a seating capacity of over 44 passengers.

(2) Require one portable battery-powered megaphone as emergency equipment on each passenger-carrying airplane with a seating capacity of more than 60 passengers (two megaphones if the seating capacity is more than 99 passengers).

(3) Make uniform the provisions for briefing of passengers, for flight attendants, and for assignment of emergency evacuation functions for categories of crewmembers, with respect to rules formerly in Parts 40 and 41, and Revised Part 42.

(4) Introduce required oral briefing of passengers on the location and operation of emergency exits, on passenger-carrying airplanes.

(5) Require flight attendants, on passenger-carrying airplanes with seating capacity of more than nine, varied in number up to at least four for airplanes with seating capacity of more than 149.

(6) Revise provisions on assignment of emergency evacuation functions for crewmembers.

(7) Prescribe revised and new standards for emergency exit locating signs and exit-opening instructions, exterior marking of these exits, emergency cabin illumination in a crash landing or upon interruption of the airplane's normal electrical power, strength requirements for latches designed to keep certain doors open during takeoffs and landings, and the fitting of ropes at Type III and Type IV exits to facilitate emergency egress from landplanes.

As part of the Agency recodification program, the relevant portions of Part 4b have been incorporated into Part 25 (New) of the Federal Aviation Regulations, and Parts 40 and 41, and Revised 42 of the Civil Air Regulations have been consolidated into Part 121 (New) of the Federal Aviation Regulations. Therefore, the amendments proposed for §§ 4b.382 now are made to §§ 25.809, 25.811, and 25.813, respectively covering emergency exit arrangement, marking, and access. Likewise, the amendments proposed for §§ 40.40, 40.173, 40.178, 40.265, 40.267, and 40.370 of Part 40, and the similar amendments proposed for Parts 41 and Revised 42, now are made by adding a new § 121.291 and Appendix D covering demonstration of and criteria for emergency evacuation procedures; by amending paragraphs (f), (g), and (h) of § 121.309 to make them effective only until July 1, 1966, and adding a new § 121.310 covering the emergency equipment items from that date; and by striking out §§ 121.393 and 121.396, and amending §§ 121.391, 121.397, 121.571,

and 121.573, covering flight attendants, emergency and emergency evacuation duties, and briefing of passengers before takeoff. In addition, the term "certificate holder" will be applied to operators under Part 121 (New), in conformity with the recodification style.

In general, the comments received, both before and at the Public Hearing, indicated agreement with the intent of the Agency to improve safety in case of emergency evacuation. A number of comments were directed at individual, others at many, items covered by these amendments. These are discussed in the order of the categories listed above.

(1) Comments were made that the proposed rule for demonstration of emergency evacuation was unnecessary and would not materially assist in crewmember training and proficiency, or that if required at all it should be conducted by manufacturers. The Agency does not agree with these comments. It believes that demonstration for passenger-carrying airplanes, conducted by the operator, is in keeping with the public interest and will result in the saving of lives that otherwise might be lost in the absence of showing of ability to evacuate airplanes and the correction of faults in designs and procedures revealed by the tests.

Review of CAB accident report data showed that a large number of passengers involved in survivable accidents survived the crash impact but died as a result of asphyxiation because they were unable to evacuate the airplane.

During the period 1960-1963 there were four survivable air carrier accidents with 106 fatalities and 137 survivors. The record indicates that additional people could have survived if the passengers had been properly briefed or directed in the emergency evacuation of the airplane.

Evacuation tests conducted before the Public Hearing disclosed deficiencies in equipment, procedures, and training. The Agency believes that the tests required by these amendments will continue to contribute improvements in these areas.

As proposed in the Notice of Public Hearing, in order to make the tests as realistic as possible but without endangering the participants, these amendments require demonstration in both simulated aborted takeoff and gear-up crash landing. In addition, a separate demonstration for ditching is required for certificate holders conducting or proposing to conduct extended overwater operations, but without a maximum time period. Alternate methods are provided for the ditching demonstration, as requested by one air carrier, namely use of mockups or simulated floating devices.

Notice 63-42 and the Notice of Public Hearing proposed that a new demonstration be required upon any increase in passenger seating capacity. This has been changed to require the new demonstration only when the increase in capacity is five percent or greater, thus allowing some latitude.

Also, the Notices would require demonstrations for airplanes of all sizes. These amendments require demonstrations only for airplanes with seating capacity of more than 44 passengers. After

consideration of the relatively small size of the passenger cabin, close proximity of crewmembers, and past experience showing comparatively little difficulty in emergency evacuation, the Agency believes demonstrations need not be conducted for these smaller airplanes.

In line with one air carrier's comment, the criteria for conducting the demonstrations are spelled out in detail and set forth in Appendix D to Part 121 (New). Several minor changes suggested by comments have been made, such as designating the certificate holder as the one to clutter aisles with blankets and other articles that normally would be in the passenger compartments; requiring a more representative passenger load; requiring either the blacking out of windows or the outside placing of mats, ramps or stands; forbidding rehearsals of demonstrations; and making clear that one demonstration must be conducted with outside darkness. Some suggestions were not adopted. For instance, it was suggested that smoke should be used during a demonstration. However, the Agency feels that this would tend to excite the passengers used, and create a hazardous condition. Similarly, a suggestion that "trained passengers" should be used, was not adopted.

One air carrier proposed a 90-second maximum time period for the demonstration of emergency evacuation of passengers in a survivable accident. The Agency has considered the relative speed in which fires have developed in accidents, and the practical limitations imposed by existing aircraft configurations, and has concluded that the two-minute maximum time period is reasonable for the aborted takeoff and gear-up crash landing evacuation demonstration. No maximum time period has been provided for the ditching demonstration, since experience shows that passengers generally are alerted prior to, and fire rarely occurs in, actual ditching.

These amendments provide that emergency evacuation demonstration must be conducted within 30 days after their effective date (120 days after issuance). This time period has been fixed after consideration of all relevant factors including the fact that in many cases satisfactory demonstrations for aborted takeoff already have been shown. Since these were conducted and approved under the criteria of the Agency's Order FS-8400.4 issued September 16, 1963, that are now placed in Appendix D with minor changes, a certificate holder who has conducted this particular demonstration need not again show it.

(2) Some comment urged that battery-powered megaphones would be of no assistance in evacuation and would create a hazard by the user's getting in the way of evacuees; that interior acoustical material would absorb a large proportion of megaphone output, and the high energy level required to overcome this absorption would result in "feedback" on the megaphone; that a megaphone would require two hands for use by most persons to hold it steady and guard against feedback; that the use of two megaphones would result in conflicting instructions; and that mega-



phones would not be advantageous in emergencies because of their location. The Agency believes megaphones will be of assistance in communications, as stated in Notice 63-42. As to the claim that megaphone users would impede evacuees, the Agency believes that such a person would not have received proper training with the equipment. As to absorption of megaphone output by interior acoustical material, the Agency believes this would not exceed the absorption of verbal instructions, and that there would not be inordinate feed-back from the output needed to overcome absorption. Also, it appears that one manufacturer has solved the absorption problem satisfactorily with its design of megaphone. As to the claimed need to use both hands to handle a megaphone, this is not necessarily so, since the design of the megaphone would be a controlling factor. The Agency does not believe that the requirement of two megaphones, where there is a seating capacity of more than 99, will result in conflicting instructions if proper training is given to their users. Finally, the Agency believes the location of a megaphone in the rearward end of the passenger cabin, plus a second one in the forward end in a larger airplane, each in a place readily accessible to crewmembers assigned to emergency evacuation, will provide advantageous opportunity for the use of this equipment.

(3) The items are discussed separately below.

(4) Some comments objected to oral briefing of passengers on the location of emergency exits, urging that it would be sufficient to call their attention to safety cards. The Agency considers oral briefing prior to each takeoff necessary in the interest of safety. It believes that passengers so alerted are better prepared to cope with evacuation of the airplane under emergency conditions. Passengers do not always familiarize themselves with briefing cards after boarding the airplane and before takeoff, since they may be primarily concerned with securing desirable seats, making themselves comfortable, and observing fellow passengers. The Agency has concurred with the recommendation that oral briefing should be supplemented by printed cards. Accordingly, these amendments require the carrying, aboard passenger-carrying airplanes, of cards with diagrams of the emergency exits and details of the oral emergency instructions. The Notice proposed that for extended overwater operations passengers should be briefed as to both location and operation of life rafts. Briefing or operation of life rafts literally would require their removal from storage receptacles and physical demonstration of their activation. This is impractical, and has been omitted in these amendments.

One comment recommended that the passengers be required to keep their seat belts fastened during flight. This was not within the scope of the published Notices. However, the Agency has directed letters to all airlines suggesting that in the preflight briefing the passengers, for their comfort and convenience, should be advised to keep their seat belts

loosely fastened in flight except when leaving their seats.

(5) With respect to flight attendants on passenger-carrying airplanes, Notice 63-42 proposed that one flight attendant be required on each airplane with a capacity of more than nine passengers, as in Part 40, plus additional flight attendants as determined necessary to comply with the provisions for assignment of emergency evacuation functions for crewmembers. The Notice of Public Hearing, however, applied the type of rule used in Parts 41 and Revised 42, with an additional fourth flight attendant on airplanes with a passenger seating capacity of more than 149, and with provision for approval of fewer flight attendants in certain circumstances.

Comments were made both for and against each approach. In the light of these comments and further study, the Agency has decided to adopt the latter approach. When the rule for three flight attendants was first instituted for airplanes with a seating capacity of more than 99, some airplanes had a seating capacity up to 135 passengers. Now some airplanes are equipped to carry up to 189 passengers. This highlights the need for expeditious performance of emergency functions by crewmembers, and the handling of passengers in survivable accidents. The successful emergency evacuation of these passengers will depend to a large extent upon the number of attendants, their training, and the evacuation procedures used by the operator. Some comments urged that in determining the number of flight attendants, consideration should be given to what services are rendered, such as food, or to what may be indicated by a demonstration. However, after consideration of all relevant factors, the Agency believes that the number of passenger seats on the particular airplane should be the basic minimum standard upon which to determine the number of flight attendants, as has previously been done in Parts 41 and 42 of the Civil Air Regulations. One comment suggested the use of one flight attendant for each Type I emergency exit. However, the Agency, after study, has concluded that this is not essential, since in survivable accidents one or more flight crewmembers likely would be available to assist in the emergency evacuation of occupants.

(6) A comment has been adopted that assignment of emergency evacuation functions should be made to categories of crewmembers rather than to individual crewmembers. However, the Agency has not considered necessary the certification of flight attendants, as recommended by several comments. The Agency believes that the conduct of emergency procedures primarily is a problem of adequate crew training, currently provided for and proposed in the regulations, and that this training can be accomplished without certification.

(7) As to emergency exit arrangement, it was urged that the use of ropes to assist passengers to the ground from over-the-wing emergency exits would be of little value, obstruct exits, slow down descent, or create opportunities for injuries from flap edges or from the cross-

ing of ropes at leading and trailing edges of wings. It also was urged that tapes should be permitted as an alternate means, and by one comment that details of design of the assist should be omitted. One comment suggested that rope strength should be for at least 1000 pounds. Upon re-examination, the Agency has decided to retain the proposal, changed (as proposed in the Notice of Public Hearing, pursuant to comment and study) to require ropes with a minimum diameter of  $\frac{3}{8}$  inch, or approved equivalent devices, in order to provide the handling characteristics necessary for passenger evacuation. The Agency's investigation of ordinary tapes showed that in general they do not provide sufficient diameter or area for a person to grasp in order to regulate his descent without burning the hands or incurring other injury. However, some types impregnated with latex appear to be satisfactory and in fact have been approved. Comment also was made that, in the case of crew exits, visibility in flight might be seriously reduced by the presence of the assist device stowed at or above the exit. Responsive to this comment, the amendments permit attachment to the fuselage structure at another approved location, in such a case.

In new § 121.310 of Part 121 (New), DC-3 airplanes operated with no more than 35 occupants including crewmembers and no more than 4 exits authorized for passenger use, will be exempted from the over-the-wing and cabin window emergency exit requirements. Section 121.309(f) already does not require an assist device at rear window emergency exits on these airplanes. The Agency agrees with the comment that for all cabin window emergency exits and additionally for over-the-wing emergency exits, on these airplanes, which require no special means to assist descent, the installation of descent ropes is unnecessary.

As to emergency exit marking, it was urged that it would be too restrictive to require a locating sign on each bulkhead or divider preventing fore and aft vision, to indicate emergency exits beyond and obscured by it. This provision has been changed to allow location of such a sign elsewhere when it is impossible to place it on the bulkhead or divider. Similarly, under the amendments one locating sign now may serve two floor level emergency exits if they both can be seen readily from the sign. Also, some ceilings above the main aisle are too low to accommodate locating signs near over-the-wing emergency exits. These amendments therefore permit another location if it is more practical because of low headroom. Comments also suggested exterior lighting for evacuation, and emergency lights in cockpits, as part of the independent lighting system, and red lights between window panes in emergency exits. The Agency believes these suggestions may have merit, but further evaluation is needed before proceeding with rule making in this area. Similarly, recommendations were made that signs be luminous or have luminous paint, and that exits openable from the outside be



identified by the single word "EXIT" in letters at least one inch high and visible from 50 feet. These are not within the scope of the Notices. Comment further was made that instead of two-inch bands around emergency exits openable from the outside, provision should be made, conforming with SAE ARP 577, that these exits should be identified by the single word "EXIT" colored to contrast with the background, or colored red. The Agency believes the two-inch color band is the superior method of marking these exits, and that any color contrast (not necessarily involving red bands, as suggested by one comment) will adequately serve to mark the exit location and operating instructions.

It was urged by one comment that exit identity and locating provisions should not apply to piston-powered airplanes certificated years ago and under rules different from those under which jet aircraft have been certificated. These provisions, it was claimed, would result in confusion because of the small size of the airplanes and large number of small exits. The Agency does not concur with this suggestion, since a number of these airplanes are currently in use in coach service, with increased passenger capacity that increases the need for emergency identity and location signs.

Comment was made that to require the illumination to be 0.05 foot-candles on the surface of each seat armrest along the main passenger aisle would be too restrictive. This provision has been changed to require the equivalent average illumination. Spelled out also is the provision on automatic functioning of lights, to make clear that this will apply to any interruption of normal electrical power, and that the independent lighting system must be armed, if necessary for operation, before each takeoff and landing and during taxiing. One comment urged that arming should continue from takeoff through landing. The Agency does not consider this essential.

As to emergency exit access, it was claimed that doors with positive holding devices between passenger compartments are as safe as, or even safer than, curtains if they are properly latched during takeoffs and landings. It was further asserted that persons evacuating an airplane might easily become tangled up in curtains, particularly when unusual aircraft attitudes are involved. The Agency does not agree that doors should be used instead of curtains, especially since it is possible that doors may become jammed in crash landings.

Comment also was made that the provision on emergency exit access would be too restrictive for the Boeing 727 airplane, that is equipped with a ventral stairway as an exit requiring passage through a door in the pressurized bulkhead to reach it. In most 727 airplanes the ventral stairway is not a required exit, therefore the door in the pressure bulkhead need not be latched open for takeoff and landing. Furthermore, even where the stairway might be proposed as an emergency exit, the door would be a part of the exit and not a door leading to the exit, therefore these amendments are not too restrictive for these airplanes.

It was urged that since not all piston airplanes have crewmember standing room alongside each Type I and Type II exit and window exits not over-the-wing, the Administrator should permit exemptions (meaning deviations) where justified. The Agency concurs with this comment. Section 4b.362 of Part 4b of the Civil Air Regulations has had the requirement for crewmember standing room since December 20, 1951, but some airplanes certificated under the provisions of Part 4b in effect before that date were not required to have this space. However, in some cases this space can not be provided because of the location of primary aircraft structure in the area. Therefore, these amendments permit a deviation for an airplane certificated under those provisions of Part 4b if the Administrator finds that special circumstances exist that provide an equivalent level of safety.

Certain other comments recommended the withholding of action with respect to these amendments. However, effective dates have been fixed after consideration of any problems encountered in meeting those dates. The effective date for the amendments to Part 25 (New) and the related amendments to Part 121 (New) have been set 90 days after issuance. The equipment provisions of these Amendments to Part 121 (New) actually become requirements on July 1, 1966. Thus, ample time is allowed for whatever changes are needed for operating purposes.

It was urged that airplane operators that are not air carriers or commercial operators should not be required to comply with the proposed requirements for all Part 25 (4b) airplanes. With respect to these operators, the Agency has not considered retroactive requirements, and no proposal has been made to change Part 91 (New) of the Federal Aviation Regulations.

It was urged that there should be a clear understanding that work completed on a voluntary basis on turbo-jet airplanes, relative to emergency exit identity signs and interior cabin illumination, accomplished as recommended by the FAA-Industry Task Force, would meet the intent of the amendments on these items. These amendments incorporate changes in requirements on interior cabin illumination and locating signs for emergency exits that relax the proposals made in the Notice of Public Hearing. The Agency can not state categorically that work accomplished as recommended by the FAA-Industry Task Force will in every case comply with these rules. However, information available to the Agency indicates that the relevant modifications voluntarily made on turbo-jet airplanes, as indicated, will be in compliance.

It also was urged that air carriers be relieved from these amendments with respect to piston-powered airplanes. The Agency does not agree that retrofitting of piston-powered airplanes is unnecessary. The need for improvements in cabin interiors and emergency equipment is the same for piston-powered as for turbine-powered airplanes, high density seating is installed in the former as well as in the latter, and the emergency

evacuation standards should be the same for all types of airplanes used by air carriers in their operations.

It was suggested that the emergency evacuation equipment and procedures should be made applicable to cargo airplanes. The Agency has this subject under consideration as a separate study.

Section 91.47 of Part 91 of the Federal Aviation Regulations, a recodification of Special Civil Air Regulations 389B, effective April 1, 1965 (29 F.R. 19096), prohibits, in certain cases, the operation of large airplanes in passenger-carrying operations for hire with more than the number of occupants allowed under § 4b.362 (a), (b), and (c) of Part 4b of the Civil Air Regulations. Certain listed types may be operated with up to designated numbers of occupants and corresponding numbers of approved passenger emergency exits. These rules are provided "notwithstanding any other provisions of this chapter." Paragraph (b) of § 91.47 provides that additional occupants may be carried if there are additional exits comparable to at least a Type II or Type IV exit, but not more than eight occupants may be carried for each additional exit. New § 121.291 will require new demonstrations of emergency evacuation procedures upon a five percent or greater increase in seating capacity over that previously approved for a certificate holder operating, under that Part, a type and model of airplane with a seating capacity of more than 44 passengers in its passenger-carrying operations. In order to make clear that a Part 121 operator may not increase occupancy under § 91.47 without complying with the redemonstration requirement of Part 121, these amendments add to § 91.47 a provision to this effect.

Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all matter presented.

In consideration of the foregoing, Parts 25, 91, and 121 of the Federal Aviation Regulations are amended as follows, effective June 7, 1965.

1. Paragraph (f) of § 25.809 is amended to read as follows:

**§ 25.809 Emergency exit arrangement.**

(f) Each landplane emergency exit more than six feet from the ground with the airplane on the ground and the landing gear extended and each over-the-wing emergency exit must have an approved means to assist the occupants in descending to the ground. The assisting means for a floor level passenger emergency exit must be a slide, or an equivalent approved device. The assisting means for any other emergency exit must be a rope at least  $\frac{3}{8}$  inch in diameter, or an equivalent approved device. If the assisting means is a rope or an approved device equivalent to a rope, it must be—

(1) Attached to the fuselage structure at or above the top of the emergency exit opening, or, for a device at a pilot's emergency exit window, at another approved location if the stowed device, or its attachment, would reduce the pilot's view in flight;



(2) Able (with its attachment) to withstand a 400-pound static load; and

(3) For an over-the-wing emergency exit, long enough to allow descent over the leading or trailing edge of the wing, whichever distance is longer.

2. Section 25.811 is amended to read as follows:

**§ 25.811 Emergency exit marking.**

(a) Each passenger emergency exit, its means of access, and its means of opening must be conspicuously marked.

(b) The identity and location of each passenger emergency exit must be recognizable from a distance equal to the width of the cabin.

(c) The location of each passenger emergency exit must be indicated by a sign visible to occupants approaching along the main passenger aisle. There must be a locating sign—

(1) Above the aisle near each over-the-wing passenger emergency exit, or at another ceiling location if it is more practical because of low headroom;

(2) Next to each floor level passenger emergency exit, except that one sign may serve two such exits if they both can be seen readily from that sign; and

(3) On each bulkhead or divider that prevents fore and aft vision along the passenger cabin, to indicate emergency exits beyond and obscured by it, except that if this is not possible the sign may be placed at another appropriate location.

(d) Each passenger emergency exit marking and each locating sign must have white letters one inch high on a red background two inches high, be self or electrically illuminated, and have a minimum luminescence (brightness) of at least 160 microlamberts. The colors may be reversed if this will increase the emergency illumination of the passenger compartment.

(e) The location of each passenger emergency exit operating handle and instructions for opening must be shown:

(1) For each emergency exit, by a marking on or near the exit that is readable from a distance of 30 inches.

(2) In addition, for each Type I or Type II emergency exit with a locking mechanism released by rotary motion of the handle, by—

(i) A red arrow, with a shaft at least  $\frac{3}{4}$  inch wide and a head twice the width of the shaft, extending along at least 70 degrees of arc at a radius approximately equal to  $\frac{3}{4}$  of the handle length; and

(ii) The word "open" in red letters one inch high, placed horizontally near the head of the arrow.

(f) A source of light, independent of the main lighting system, must be installed to—

(1) Illuminate each passenger emergency exit marking and locating sign; and

(2) Provide enough general lighting in the passenger cabin so that the average illumination, when measured at 40-inch intervals at seat armrest height on the center line of the main passenger aisle, is at least 0.05 foot-candles.

(g) Each light required by paragraph (f) of this section must be designed to be

operable manually, and to operate automatically, when armed if necessary, from the independent lighting system required by paragraph (f) of this section in a crash landing or whenever the airplane's normal electrical power to the light is interrupted.

(h) Each emergency exit that is required to be openable from the outside, and its means of opening, must be marked on the outside of the airplane. In addition, the following apply:

(1) There must be a two-inch colored band outlining the exit.

(2) Each outside marking, including the band, must differ in color from the surrounding fuselage surface so that the reflectance of the lighter color exceeds the reflectance of the darker color by a factor of at least three. "Reflectance" is the ratio of the luminous flux reflected by a body to the luminous flux it receives.

(i) Exits marked as emergency exits, though in excess of the required number of emergency exits, must meet the requirements for emergency exits of the particular type. Emergency exits customarily used in entering or leaving the airplane need only be marked with the word "Exit."

3. Section 25.813 is amended to read as follows:

**§ 25.813 Emergency exit access.**

(a) Each passageway between individual passenger areas, or leading to a Type I or Type II emergency exit, must be unobstructed and at least 20 inches wide.

(b) There must be enough space next to each Type I or Type II emergency exit to allow a crewmember to assist in the evacuation of passengers without reducing the unobstructed width of the passageway to the exit below that required by paragraph (a) of this section.

(c) There must be access from the main aisle to each Type III or Type IV exit. The access may not be obstructed by seats, berths, or other protrusions to an extent that would reduce the effectiveness of the exit. However, there may be minor obstructions if there are compensatory factors to maintain the effectiveness of the exit.

(d) If it is necessary to pass through a passageway between passenger compartments to reach any required emergency exit from any seat in the passenger cabin, the passageway must be unobstructed. However, curtains may be used if they allow free entry through the passageway.

(e) No door may be installed in any partition between passenger compartments.

(f) If it is necessary to pass through a doorway separating the passenger cabin from other areas to reach any required emergency exit from any passenger seat, the door must have a means to latch it in open position. The latching means must be able to withstand the loads imposed upon it when the door is subjected to the ultimate inertia forces, relative to the surrounding structure, listed in § 25.561(b).

4. Paragraph (c) of § 25.803 is stricken out.

**§ 25.803 Emergency evacuation.**

(c) [Revoked]

5. A new paragraph (e) is added to § 91.47 to read as follows:

**§ 91.47 Emergency exits for airplanes carrying passengers for hire.**

(e) This section does not relieve any person operating under Part 121 of this chapter from complying with § 121.291.

6. A new § 121.291 is added to read as follows:

**§ 121.291 Demonstration of emergency evacuation procedures.**

(a) Each certificate holder shall show by actual demonstration that the emergency evacuation procedures for each type and model of airplane with a seating capacity of more than 44 passengers, used in its passenger-carrying operations, allow the evacuation of its full seating capacity in 2 minutes or less, and through not more than 50 percent of its emergency exits. The demonstrations must be conducted according to the criteria provided in paragraphs (a) Aborted takeoff demonstration, and (b) Gear-up crash landing demonstration, of Appendix D of this Part, before July 5, 1965, for each type and model of airplane used currently in passenger-carrying operations, and thereafter—

(1) Upon the initial introduction of a type and model of airplane into passenger-carrying operations;

(2) Upon a 5 percent or greater increase in passenger seating capacity over that previously approved; or

(3) Upon a major change in the passenger cabin interior configuration that will affect the emergency evacuation of passengers.

However, each certificate holder who before June 7, 1965, has shown the aborted takeoff demonstration for a type and model of airplane, with a particular cabin interior configuration and passenger seating capacity, used currently in passenger-carrying operations, need not repeat that demonstration.

(b) In addition to the demonstrations required by paragraph (a), each certificate holder operating or proposing to operate one or more landplanes in extended overwater operations, or otherwise required to have certain equipment under § 121.339, must demonstrate ability to efficiently carry out its ditching procedures by a simulated ditching according to the criteria provided in paragraph (c) Ditching demonstration, of Appendix D of this part.

7. Paragraphs (f), (g), and (h) of § 121.309 are amended by striking out the word "Each" at the beginning and inserting the words "Until July 1, 1966, each" in place thereof. As amended, § 121.309 (f), (g), and (h) read as follows:

**§ 121.309 Emergency equipment.**

(f) Means for emergency evacuation. Until July 1, 1966, each passenger-carrying airplane must have a means to



help occupants descend from the airplane through each emergency exit that is more than six feet from the ground with the landing gear extended. At approved floor level emergency exits, this means must be a chute or equivalent device suitable for rapid evacuation of passengers and must be in position during flight time for immediate installation and ready use. This paragraph does not apply if the emergency exit is over a wing and the distance from the lower sill of the exit to the surface of the wing is 36 inches or less. However, this paragraph does not require a means to help the occupants of a passenger-carrying DC-3 airplane in descending from the airplane by way of the rear window emergency exit, unless that airplane is operated with more occupants than are specified in § 121.291 for DC-3 airplanes with four exits authorized for passenger use.

(g) *Interior emergency exit markings.* Until July 1, 1966, each passenger-carrying airplane emergency exit, its means of access, and its means of opening, must be conspicuously marked. The identity and location of each emergency exit must be recognizable from a distance equal to the width of the cabin. The location of the emergency exit operating handle and the instructions for opening must be marked on or adjacent to the emergency exit and must be readable from at least 30 inches by a person with normal eyesight.

(h) *Lighting for interior emergency exit markings.* Until July 1, 1966, each passenger-carrying airplane must have a source or sources of light with an energy supply that is independent of the main lighting system for passenger emergency exit markings. Each light must be designed to—

- (1) Function automatically in a crash landing, to continue functioning thereafter, and to be manually operable; or
- (2) Be manually operable only and to continue functioning after a crash landing.

If a light requires manual operation, it must be turned on before each takeoff and landing. If a light requires arming of the system to function automatically, the system must be armed before each takeoff and landing.

8. The following new section is added after § 121.309:

§ 121.310 Additional emergency equipment.

(a) *Emergency exit arrangement.* After June 30, 1966, on each passenger-carrying airplane, each emergency exit more than six feet from the ground with the airplane on the ground and the landing gear extended and each over-the-wing emergency exit must have an approved means to assist the occupants in descending to the ground. The assisting means for a floor level passenger exit must be a slide, or an equivalent approved device. The assisting means for any other emergency exit must be a rope at least  $\frac{3}{4}$  inch in diameter, or an equivalent approved device. During flight a slide, or equivalent approved device, must be kept readily accessible for immediate installation and use. If the as-

sisting means is a rope or an approved device equivalent to a rope, it must be—

- (1) Attached to the fuselage structure at or above the top of the emergency exit opening, or, for a device at a pilot's emergency exit window, at another approved location if the stowed device, or its attachment, would reduce the pilot's view in flight;
- (2) Able (with its attachment) to withstand a 400-pound static load; and
- (3) For an over-the-wing emergency exit, long enough to allow descent over the leading or trailing edge of the wing, whichever distance is longer.

However, this paragraph (a) does not apply to over-the-wing or cabin window emergency exits of DC-3 airplanes operated with no more than 35 occupants including crewmembers, and no more than 4 exits authorized for passenger use.

(b) *Interior emergency exit marking.* After June 30, 1966, the following must be complied with for each passenger-carrying airplane:

- (1) Each passenger emergency exit, its means of access, and its means of opening must be conspicuously marked. The identity and location of each passenger emergency exit must be recognizable from a distance equal to the width of the cabin. The location of each passenger emergency exit must be indicated by a sign visible to occupants approaching along the main passenger aisle. There must be a locating sign—

- (i) Above the aisle near each over-the-wing passenger emergency exit, or at another ceiling location if it is more practical because of low headroom;

- (ii) Next to each floor level passenger emergency exit, except that one sign may serve two such exits if they both can be seen readily from that sign; and

- (iii) On each bulkhead or divider that prevents fore and aft vision along the passenger cabin, to indicate emergency exits beyond and obscured by it, except that if this is not possible the sign may be placed at another appropriate location.

(2) Each passenger emergency exit marking and each locating sign must have white letters one inch high on a red background two inches high, be self or electrically illuminated, and have a minimum luminance (brightness) of at least 160 microlamberts. The colors may be reversed if this will increase the emergency illumination of the passenger compartment.

(c) *Lighting for interior emergency exit markings.* After June 30, 1966, each passenger-carrying airplane must have a source of light, independent of the main lighting system, to—

- (1) Illuminate each passenger emergency exit marking and locating sign; and

- (2) Provide enough general lighting in the passenger cabin so that the average illumination, when measured at 40-inch intervals at seat armrest height on the center line of the main passenger aisle, is at least 0.05 foot-candles.

(d) *Interior emergency light operation.* After June 30, 1966, each light on each passenger-carrying airplane required by paragraph (c) of this section

must be designed to be operable manually, and to operate automatically from the independent lighting system required by paragraph (c) of this section in a crash landing or whenever the airplane's normal electrical power to the light is interrupted. If a light requires arming of the system to function automatically, the system must be armed before each takeoff and landing and during taxiing.

(e) *Emergency exit operating handles.* After June 30, 1966, the location of each passenger emergency exit operating handle on each passenger-carrying airplane, and instructions for opening, must be shown:

- (1) For each emergency exit, by a marking on or near the exit that is readable from a distance of 30 inches.

- (2) In addition, for each Type I or Type II emergency exit with a locking mechanism released by rotary motion of the handle, by—

- (i) A red arrow with a shaft at least  $\frac{3}{4}$  inch wide and a head twice the width of the shaft, extending along at least 70 degrees of arc at a radius approximately equal to  $\frac{3}{4}$  of the handle length; and

- (ii) The word "open" in red letters one inch high, placed horizontally near the head of the arrow.

(f) *Emergency exit access.* After June 30, 1966, access to emergency exits must be provided as follows for each passenger-carrying airplane:

- (1) Each passageway between individual passenger areas, or leading to a Type I or Type II emergency exit, must be unobstructed and at least 20 inches wide.

- (2) There must be enough space next to each Type I or Type II emergency exit to allow a crewmember to assist in the evacuation of passengers without reducing the unobstructed width of the passageway below that required in subparagraph (1) of this paragraph. However, the Administrator may authorize deviation from this requirement for an airplane certificated under the provisions of Part 4b of the Civil Air Regulations in effect before December 20, 1951, if he finds that special circumstances exist that provide an equivalent level of safety.

- (3) There must be access from the main aisle to each Type III or Type IV exit. The access may not be obstructed by seats, berths, or other protrusions to an extent that would reduce the effectiveness of the exit. However, there may be minor obstructions if there are compensatory factors to maintain the effectiveness of the exit.

- (4) If it is necessary to pass through a passageway between passenger compartments to reach any required emergency exit from any seat in the passenger cabin, the passageway must not be obstructed. However, curtains may be used if they allow free entry through the passageway.

- (5) No door may be installed in any partition between passenger compartments.

- (6) If it is necessary to pass through a doorway separating the passenger cabin from other areas to reach required emergency exit from any passenger seat, the door must have a means to latch it in open position, and the door must be latched open during each takeoff and



landing. The latching means must be able to withstand the loads imposed upon it when the door is subjected to the ultimate inertia forces, relative to the surrounding structure, listed in § 25.561(b) of this chapter.

(g) *Exterior exit markings.* After June 30, 1966, each emergency exit that is required to be openable from the outside, and its means of opening, must be marked on the outside of the airplane. In addition, the following apply:

(1) There must be a two-inch colored band outlining the exit.

(2) Each outside marking, including the band, must differ in color from the surrounding fuselage surface so that the reflectance of the lighter color exceeds the reflectance of the darker color by a factor of at least three. "Reflectance" is the ratio of the luminous flux reflected by a body to the luminous flux it receives.

(h) *Megaphones.* After June 30, 1966, each passenger-carrying airplane must have a portable battery-powered megaphone or megaphones readily accessible to the crewmembers assigned to direct emergency evacuation, installed as follows:

(1) One megaphone on each airplane with a seating capacity of more than 60 and less than 100 passengers, at the rearward end of the passenger cabin.

(2) Two megaphones on each airplane with a seating capacity of more than 99 passengers, one installed at the forward end and the other at the rearward end of the passenger cabin. However, if the interior configuration of the passenger cabin makes either location impracticable, another approved location may be used.

9. Section 121.391 is amended to read as follows:

**§ 121.391 Flight attendants.**

(a) Except as authorized in paragraph (b) of this section, each certificate holder shall provide at least the following flight attendants on each passenger-carrying airplane used:

(1) For airplanes having a seating capacity of more than 9 but less than 45 passengers—one flight attendant.

(2) For airplanes having a seating capacity of more than 44 but less than 100 passengers—two flight attendants.

(3) For airplanes having a seating capacity of more than 99 but less than 150 passengers—three flight attendants.

(4) For airplanes having a seating capacity of more than 149 passengers—four flight attendants.

(b) Upon application by the certificate holder, the Administrator may approve the use of an airplane in a particular operation with less than the number of flight attendants required by paragraph (a) of this section, if the certificate holder shows that, based on the following, safety and emergency procedures and functions established under § 121.397 for the particular type of airplane and operations can be adequately performed by fewer flight attendants:

- (1) Kind of operation.
- (2) The number of passenger seats.
- (3) The number of compartments.
- (4) The number of emergency exits.
- (5) Emergency equipment.

(6) The presence of other trained flight crewmembers, not on flight deck duty, whose services may be used in emergencies.

(c) Upon approval of an application under paragraph (b) of this section, the number of flight attendants and the particular operation for which it is approved are set forth in the certificate holder's operations specifications.

10. Sections 121.393 and 121.396 are stricken out.

§ 121.393 [Revoked]

§ 121.396 [Revoked]

11. Section 121.397 is amended to read as follows:

**§ 121.397 Emergency and emergency evacuation duties.**

(a) Each certificate holder shall, for each type and model of airplane, assign to each category of required crewmember, as appropriate, the necessary functions to be performed in an emergency or a situation requiring emergency evacuation. The certificate holder shall show those functions are realistic, can be practically accomplished, and will meet any reasonably anticipated emergency including the possible incapacitation of individual crewmembers or their inability to reach the passenger cabin because of shifting cargo in combination cargo-passenger airplanes.

(b) The certificate holder shall describe in its manual the functions of each category of required crewmembers under paragraph (a) of this section.

(c) The certificate holder shall train each required crewmember in his functions under paragraph (a) of this section during the emergency training part of the approved training program prescribed in § 121.411.

12. Sections 121.571 and 121.573 are amended to read as follows:

**§ 121.571 Briefing passengers before takeoff.**

(a) Before each takeoff, each certificate holder operating a passenger-carrying airplane shall ensure that all passengers are orally briefed by the appropriate crewmember on—

- (1) Smoking;
- (2) The use of seat belts; and
- (3) The location of emergency exits.

(b) Each certificate holder shall carry on each passenger-carrying airplane, in convenient locations for use of each passenger, printed cards supplementing the oral briefing and containing—

- (1) Diagrams of, and methods of operating, the emergency exits; and
- (2) Other instructions necessary for use of emergency equipment.

(c) The certificate holder shall describe in its manual the procedure to be followed in the briefing required by paragraph (a) of this section.

**§ 121.573 Briefing passengers: extended overwater operations.**

(a) In addition to the oral briefing required by § 121.571(a), each certificate holder operating an airplane in extended overwater operations shall ensure that all passengers are orally briefed by the appropriate crewmember on the location

and operation of the life preservers and location of the liferafts, including a demonstration of the method of donning and inflating a life preserver.

(b) The certificate holder shall describe in its manual the procedure to be followed in the briefing required by paragraph (a) of this section.

(c) If the airplane proceeds directly over water after takeoff, the briefing required by paragraph (a) of this section must be done before takeoff.

(d) If the airplane does not proceed directly over water after takeoff, no part of the briefing required by paragraph (a) of this section has to be given before takeoff but the entire briefing must be given before reaching the overwater part of the flight.

13. A new Appendix D is added to Part 121 [New] to read as follows:

**Appendix D—Criteria for Demonstration of Emergency Evacuation Procedures Under § 121.291**

**(a) Aborted takeoff demonstration.**

(1) The demonstration must be conducted either during the dark of the night or during daylight with the dark of the night simulated. The demonstration must be conducted without any overall exterior illumination. Illumination on the floor or ground may be used, but it must be kept low and shielded against shining into the airplane's windows or doors. If the demonstration is conducted in a hangar, the hangar lights must be turned off, and each window or door of the hangar must be covered or closed to minimize the daylight effect.

(2) The airplane must be in a normal ground attitude with landing gear extended.

(3) The airplane's normal electrical power sources must be de-energized.

(4) All emergency equipment must be installed in accordance with specified limitations of the equipment.

(5) Each external door and exit, and each internal door or curtain, must be in a position to simulate a normal flight.

(6) Each crewmember must be in his seat normally assigned for takeoff and landing. No other employee of the certificate holder may be seated next to any emergency exit. No passenger may be assigned to a specified seat.

(7) Seat belts and shoulder harness (as required) must be fastened.

(8) A representative passenger load of persons in normal health, none of them crewmembers, must be used. At least 30 percent must be females. Approximately 5 percent must be over 60 years of age, with a proportionate number of females. At least 5 percent but no more than 10 percent must be children under 12 years of age, prorated through that age group. Three life-size dolls, not included as part of the total passenger load, must be carried by passengers to simulate live infants 2 years old or younger.

(9) After seating of the passengers and before the start of the demonstration, the certificate holder shall distribute carry-on baggage, blankets, pillows, and similar articles along the aisle at several locations to create minor obstructions. The Administrator may request the certificate holder to assign the passengers to different seats.

(10) The seating density and arrangement of the airplane must be representative of the highest passenger version of that airplane the certificate holder operates or proposes to operate.

(11) Each crewmember must be a member of a regularly scheduled line crew, and must remain in his assigned seat for takeoff and landing until he receives the signal for commencement of the demonstration.



(12) No crewmember or passenger may be given prior knowledge of the emergency exits available for the demonstration.

(13) The certificate holder may not rehearse the demonstration for the participants. Only the before-takeoff passenger briefing required by § 121.571 and given in accordance with the certificate holder's manual may be made before the demonstration.

(14) To prevent disclosure of the emergency exits to be used, either all passenger and cockpit windows must be blacked out, or mats on the ground or the wings, or ramps or stands with stairs (or similar devices) at the wings, must be placed at emergency exit positions in equal number on each side of the airplane.

(15) Not more than 50 percent of the airplane's emergency exits may be used for the demonstration. Exits not used in the demonstration must be so indicated by red flash lights, red tape, or other acceptable means, placed outside the exits to indicate fire or other reason that the exits are unusable. The exits to be used may not be disclosed to the crewmembers until the demonstration starts and they are opened. They must be designated by the certificate holder, and they must be representative of all the emergency exits on the airplane. At least one exit used must be a floor level exit.

(16) A stand or ramp, with or without steps, may be placed at the trailing edge of each wing for descent from the wing to the ground. No stand, or other equipment not part of the airplane's emergency evacuation gear, may be used at any other exit.

(17) All evacuees other than those using an over-the-wing exit must leave the airplane by the means provided as part of the airplane's equipment.

(18) During the demonstration, full use must be made of all approved procedures and emergency equipment normally available, including doors, slides, ropes, megaphones, and lights.

(b) *Gear-up crash landing demonstration.* The demonstration must assume the following conditions:

(1) Daylight hours exist outside the airplane.

(2) The airplane was involved in a gear-up crash landing.

(3) All required flight crewmembers are incapacitated.

(4) All regularly assigned flight attendants are available to conduct the evacuation.

Under these conditions, the evacuation demonstration must be conducted under criteria Nos. (3)-(15) and (17)-(18) of the aborted takeoff demonstration, except that a stand must be placed at each emergency exit or wing with the top platform of the stand at a height that simulates ground level following a gear-up landing.

(c) *Ditching demonstration.* The demonstration must assume that daylight hours exist outside the airplane, and that all required crewmembers are available for the demonstration.

(1) If the certificate holder's manual requires the use of passengers to assist in the launching of life rafts, the needed passengers must be aboard the airplane and participate in the demonstration according to the manual.

(2) A stand must be placed at each emergency exit and wing, with the top of the platform at a height simulating the water level of the airplane following a ditching.

(3) After the ditching signal has been received, each evacuee must don a life vest according to the certificate holder's manual.

(4) Each life raft must be launched and inflated, according to the certificate holder's manual, and all other required emergency equipment must be placed in rafts.

(5) Each evacuee must enter a life raft, and the crewmembers assigned to each life raft must indicate the location of emergency equipment aboard the raft and describe its use.

(6) Either the airplane, a mockup of the airplane or a floating device simulating a passenger compartment must be used.

(i) If a mockup of the airplane is used, it must be a life-size mockup of the interior and representative of the airplane currently used by or proposed to be used by the certificate holder, and must contain adequate seats for use of the evacuees. Operation of the emergency exits and the doors must closely simulate those on the airplane. Sufficient wing area must be installed outside the over-the-wing exits to demonstrate the evacuation.

(ii) If a floating device simulating a passenger compartment is used, it must be representative, to the extent possible, of the passenger compartment of the airplane used in operations. Operation of the emergency exits and the doors must closely simulate operation on that airplane. Sufficient wing area must be installed outside the over-the-wing exits to demonstrate the evacuation. The device must be equipped with the same survival equipment as is installed on the airplane, to accommodate all persons participating in the demonstration.

(Secs. 313(a), 601, 603, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1423, 1424))

Issued in Washington, D.C., on March 3, 1965.

N. E. HALABY,  
Administrator.

[F.R. Doc. 65-2412; Filed, Mar. 8, 1965; 8:48 a.m.]

## Title 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

##### PART 121—FOOD ADDITIVES

#### Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

##### RUBBER ARTICLES INTENDED FOR REPEATED USE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B1382) filed by Monsanto Chemical Co., 800 North Lindbergh Boulevard, St. Louis, Mo., and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of additional substances in the formulation of rubber articles intended for repeated use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.2562 (c)(4) is amended by inserting alphabetically three new items in the list of substances in subdivision (ii)(b) and one new item in the list of substances in subdivision (iii), as follows:

##### § 121.2562 Rubber articles intended for repeated use.

- (c) \* \* \*
- (4) \* \* \*
- (ii) \* \* \*
- (b) \* \* \*

1,3-Bis(2-benzothiazolylmercaptomethyl) urea.  
Carbon disulfide-1,1'-methylene dipiperidine reaction product.  
1,3-Diphenyl-2-thiourea.

- (iii) \* \* \*

4,6-Dimethyl-o-cresol.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

*Effective date.* This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348 (c)(1))

Dated: March 2, 1965:

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 65-2410; Filed, Mar. 8, 1965; 8:47 a.m.]

## Title 20—EMPLOYEES' BENEFITS

### Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Reg. 4, Amdt.]

#### PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950—)

##### Subpart M—Coverage of Employees of State and Local Governments

##### TIME LIMITATIONS AND ASSESSMENTS

##### Correction

In F.R. Doc. 65-2199, appearing at page 2703 of the issue for Wednesday, March 3, 1965, the following correction is made: the phrase reading "on nonfarm days" in the parenthetical matter of § 404.1286 (a) should read "on nonwork days".



## Title 26—INTERNAL REVENUE

### Chapter I—Internal Revenue Service, Department of the Treasury

#### SUBCHAPTER A—INCOME TAX

#### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DE- CEMBER 31, 1953

#### Dividend Gross-Up and Foreign Tax Credit for Domestic Corporate Shareholder of a Foreign Corpora- tion

On September 11, 1964, and September 18, 1964, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) to conform such regulations to section 9 of the Revenue Act of 1962 (76 Stat. 999), relating to domestic corporations receiving dividends from foreign corporations, was published in the FEDERAL REGISTER (29 F.R. 12834 and 13077). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment to the regulations as proposed is hereby adopted, subject to the changes set forth below; except that the amendments contained in § 1.861, § 1.861-3(a) (2), and § 1.902-3(d) (1), as set forth in paragraphs 6, 7, and 12, respectively, of the appendix to the notice of proposed rule making will be reissued with a new notice of proposed rule making.

PARAGRAPH 1. Section 1.78-1, as set forth in the notice of proposed rule making, is changed by revising paragraph (a), by revising subdivision (iv) of paragraph (b) (2) and so much of such paragraph as follows such subdivision, by revising so much of paragraph (c) (1) as precedes subdivision (i), by revising paragraph (e) (2), and by revising paragraph (f).

PAR. 2. The amendment to § 1.901, as set forth in the notice of proposed rule making, is changed by revising the historical note.

PAR. 3. Section 1.902-3, as set forth in the notice of proposed rule making, is changed by revising paragraph (a) (1) and (6), by revising paragraph (c) (5), by reserving paragraph (d) (1), and by adding an example (4) at the end of paragraph (i).

PAR. 4. Section 1.902-4, as set forth in the notice of proposed rule making, is changed by revising so much of paragraph (a) as precedes subparagraph (1).

PAR. 5. Section 1.902-5, as set forth in the notice of proposed rule making, is changed by revising the section heading and by revising paragraph (d).

SHELDON S. COHEN,  
Commissioner of Internal Revenue.

Approved: February 27, 1965.

STANLEY S. SURREY,  
Assistant Secretary of the  
Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) to section 9 of the Revenue Act of 1962 (76 Stat. 999), relating to domestic corporations receiving dividends from foreign cor-

porations, such regulations are hereby amended as follows:

PARAGRAPH 1. There are inserted immediately after § 1.77-2 the following new sections:

§ 1.78 Statutory provisions; dividends received from certain foreign corporations by domestic corporations choosing foreign tax credit.

Sec. 78. Dividends received from certain foreign corporations by domestic corporations choosing foreign tax credit. If a domestic corporation chooses to have the benefits of subpart A of part III of subchapter N (relating to foreign tax credit) for any taxable year, an amount equal to the taxes deemed to be paid by such corporation under section 902(a) (1) (relating to credit for corporate stockholder in foreign corporation) or under section 960(a) (1) (C) (relating to taxes paid by foreign corporation) for such taxable year shall be treated for purposes of this title (other than section 245) as a dividend received by such domestic corporation from the foreign corporation.

[Sec. 78 as added by sec. 9(b), Rev. Act 1962 (76 Stat. 1001)]

§ 1.78-1 Dividends received from certain foreign corporations by certain domestic corporations choosing the foreign tax credit.

(a) Taxes deemed paid by certain domestic corporations treated as a section 78 dividend. If a domestic corporation chooses to have the benefits of the foreign tax credit under section 901 for any taxable year, an amount which is equal to the foreign income taxes deemed to be paid by such corporation for such year under section 902(a) (1) and paragraph (a) (2) of § 1.902-3, or under section 960(a) (1) (C) and the regulations thereunder, shall, to the extent provided by this section, be treated as a dividend (hereinafter referred to as a section 78 dividend) received by such domestic corporation from the foreign corporation described in section 902(a) (1) or section 960(a) (1) (C), as the case may be. A section 78 dividend shall be treated as a dividend for all purposes of the Code, except that it shall not be treated as a dividend under section 245, relating to dividends received from certain foreign corporations, or increase the earnings and profits of the domestic corporation. For purposes of determining the source of a section 78 dividend in computing the limitation on the foreign tax credit under section 904, see paragraph (d) (1) of § 1.902-3 and the regulations under section 960. For special rules relating to the determination of the foreign tax credit under section 902 with respect to certain minimum distributions received from controlled foreign corporations and the effect of such rules upon the gross-up under section 78, see paragraph (c) of § 1.963-4. For rules respecting the reduction of foreign income taxes under section 6038(b) in applying section 902(a) (1) and section 960(a) (1) (C) where there has been a failure to furnish certain information and for an illustration of the effect of such reduction upon the amount of a section 78 dividend, see paragraph (i) of § 1.6038-2.

(b) Taxes deemed paid by certain domestic corporations not treated as a section 78 dividend. No amount shall be treated for the taxable year as a section

78 dividend by, and paragraph (a) of this section shall not apply to, a domestic corporation which for such taxable year—

(1) Does not choose to have the benefits of the foreign tax credit under section 901, or

(2) Chooses to have such benefits but whose foreign income taxes deemed to be paid are deemed to be paid under—

(i) Section 1.902-1, relating to credit for domestic corporate shareholder of a foreign corporation (before amendment by Revenue Act of 1962),

(ii) Section 1.902-2, relating to special rules for payments from certain wholly-owned foreign corporations (before amendment by Revenue Act of 1962),

(iii) Section 902(a) (2) and paragraph (a) (3) of § 1.902-3, relating to foreign taxes paid or deemed to be paid by certain foreign corporations which are less developed country corporations under section 902(d), or

(iv) Section 960(a) (1) (D) and the regulations thereunder, relating to foreign taxes paid or deemed to be paid by certain foreign corporations which are less developed country corporations under section 902(d).

Moreover, foreign income taxes deemed paid by a domestic corporation under section 960(a) (1) (C) for a taxable year which would otherwise be required to be included in gross income for such year under both section 951(a) and section 78 by reason of the application of section 960 shall not be treated as a section 78 dividend to the extent provided by the regulations under section 960.

(c) United Kingdom income tax included in gross income under treaty. Any amount of United Kingdom income tax appropriate to a dividend paid by a corporation which is a resident of the United Kingdom shall not be treated as a section 78 dividend by a domestic corporation to the extent that such tax is included in the gross income of such domestic corporation in accordance with Article XIII (1) of the income tax convention between the United States and the United Kingdom, as amended by Article II of the supplementary protocol between such Governments signed on August 19, 1957 (9 UST 1331). See § 507.117 of this chapter, relating to credit against United States tax liability for income tax paid or deemed to have been paid to the United Kingdom.

(d) Taxable year in which section 78 dividend is received. A section 78 dividend shall be considered received in the taxable year of a domestic corporation in which—

(1) The corporation receives the dividend by reason of which there are deemed paid under section 902(a) (1) the foreign income taxes which give rise to such section 78 dividend, or

(2) The corporation includes in gross income under section 951(a) the amounts by reason of which there are deemed paid under section 960(a) (1) (C) the foreign income taxes which give rise to such section 78 dividend,

notwithstanding that such foreign income taxes may be carried back or carried over to another taxable year under



section 904(d) and are deemed to be paid or accrued in such other taxable year.

(e) *Effective dates for the application of section 78*—(1) *In general.* This section shall apply to amounts of foreign income taxes deemed paid under section 902(a)(1) and paragraph (a)(2) of § 1.902-3, or under section 960(a)(1)(C) and the regulations thereunder, by reason of a distribution received by a domestic corporation—

(i) After December 31, 1964, or  
(ii) Before January 1, 1965, in a taxable year of such domestic corporation beginning after December 31, 1962, but only to the extent that such distribution is made out of the accumulated profits of a foreign corporation for a taxable year of such foreign corporation beginning after December 31, 1962.

For special rules relating to determination of accumulated profits for such purposes, see § 1.902-5.

(2) *Amounts under section 960 treated as distributions.* For purposes of this paragraph, any amount attributable to the earnings and profits for the taxable year of a first-tier corporation (as defined in the regulations under section 960) which is included in the gross income of a domestic corporation under section 951(a) shall be treated as a distribution received by such domestic corporation on the last day in such taxable year on which such first-tier corporation is a controlled foreign corporation.

(f) *Illustrations.* The application of this section may be illustrated by the examples provided in § 1.902-3 and § 1.963-4, and in the regulations under section 960.

PAR. 2. Section 1.535 is amended by revising section 535(b)(1) and the historical note to read as follows:

**§ 1.535 Statutory provisions; accumulated taxable income.**

Sec. 535. *Accumulated taxable income.*

(b) *Adjustments to taxable income.* . . .

(1) *Taxes.* There shall be allowed as a deduction Federal income and excess profits taxes (other than the excess profits tax imposed by subchapter E of chapter 2 of the Internal Revenue Code of 1939 for taxable years beginning after December 31, 1940) and income, war profits, and excess profits taxes of foreign countries and possessions of the United States (to the extent not allowable as a deduction under section 164(b)(6)), accrued during the taxable year or deemed to be paid by a domestic corporation under section 902(a)(1) or 960(a)(1)(C) for the taxable year, but not including the accumulated earnings tax imposed by section 531, the personal holding company tax imposed by section 541, or the taxes imposed by corresponding sections of a prior income tax law.

[Sec. 535 as amended by sec. 31, Technical Amendments Act 1958 (72 Stat. 1631); sec. 205, Small Business Tax Revision Act 1958 (72 Stat. 1680); sec. 9(d)(2), Rev. Act. 1962 (76 Stat. 1001)]

PAR. 3. Paragraph (a)(2) of § 1.535-2 is amended by revising the first and second sentences thereof. This amended provision reads as follows:

**§ 1.535-2 Adjustments to taxable income.**

(a) *Taxes.* . . .

(2) *Taxes of foreign countries and United States possessions.* In determining accumulated taxable income for any taxable year, if the taxpayer chooses the benefits of section 901 for such taxable year, a deduction shall be allowed for—

(i) The income, war profits, and excess profits taxes imposed by foreign countries or possessions of the United States and accrued during such taxable year, and

(ii) In the case of a domestic corporation, the foreign income taxes deemed to be paid for such taxable year under section 902(a)(1) or section 960(a)(1)(C).

In no event shall the amount under subdivision (ii) of this subparagraph exceed the amount includible in gross income with respect to such taxes under section 78 and § 1.78-1. The credit for such taxes provided by section 901 shall not be allowed against the accumulated earnings tax imposed by section 531. See section 901(a).

PAR. 4. Section 1.545 is amended by revising section 545(b)(1) and the historical note to read as follows:

**§ 1.545 Statutory provisions; undistributed personal holding company income.**

Sec. 545. *Undistributed personal holding company income.* . . .

(b) *Adjustments to taxable income.* . . .

(1) *Taxes.* There shall be allowed as a deduction Federal income and excess profits taxes (other than the excess profits tax imposed by subchapter E of chapter 2 of the Internal Revenue Code of 1939 for taxable years beginning after December 31, 1940) and income, war profits and excess profits taxes of foreign countries and possessions of the United States (to the extent not allowable as a deduction under section 164(b)(6)), accrued during the taxable year or deemed to be paid by a domestic corporation under section 902(a)(1) or 960(a)(1)(C) for the taxable year, but not including the accumulated earnings tax imposed by section 531, the personal holding company tax imposed by section 541, or the taxes imposed by corresponding sections of a prior income tax law. A taxpayer which, for each taxable year in which it was subject to the tax imposed by section 500 of the Internal Revenue Code of 1939, deducted Federal income and excess profits taxes when paid for the purpose of computing subchapter A net income under such Code, shall deduct taxes under this paragraph when paid, unless the taxpayer elects, in its return for a taxable year ending after June 30, 1954, to deduct the taxes described in this paragraph when accrued. Such an election shall be irrevocable and shall apply to the taxable year for which the election is made and to all subsequent taxable years.

[Sec. 545 as amended by sec. 32, Technical Amendments Act 1958 (72 Stat. 1631); sec. 9(d)(2), Rev. Act. 1962 (76 Stat. 1001)]

PAR. 5. Paragraph (a)(3) of § 1.545-2 is amended by revising the first and second sentences thereof. This amended provision reads as follows:

**§ 1.545-2 Adjustments to taxable income.**

(a) *Taxes.* . . .

(3) *Taxes of foreign countries and United States possessions.* In determining undistributed personal holding company income for any taxable year, if the taxpayer chooses the benefits of section 901 for such taxable year, a deduction shall be allowed for—

(i) The income, war profits, and excess profits taxes imposed by foreign countries or possessions of the United States and accrued (or paid, if required under subparagraph (1)(ii) of this paragraph) during such taxable year, and

(ii) In the case of a domestic corporation, the foreign income taxes deemed to be paid for such taxable year under section 902(a)(1) or section 960(a)(1)(C).

In no event shall the amount under subdivision (ii) of this subparagraph exceed the amount includible in gross income with respect to such taxes under section 78 and § 1.78-1. The credit for such taxes provided by section 901 shall not be allowed against the personal holding company tax imposed by section 541. See section 901(a).

PAR. 6. Section 1.901 is amended by adding a paragraph (4) to section 901 (d) and by revising the historical note as follows:

**§ 1.901 Statutory provisions; taxes of foreign countries and of possessions of United States.**

Sec. 901. *Taxes of foreign countries and of possessions of United States.* . . .

(d) *Cross reference.* . . .

(4) For reduction of credit for failure of a United States person to furnish certain information with respect to a foreign corporation controlled by him, see section 6038.

[Sec. 901 as amended by sec. 3 (a) and (b), Act of Sept. 14, 1960 (Pub. Law 86-780, 74 Stat. 1013); sec. 9(d)(3) and 12(b)(1), Rev. Act. 1962 (76 Stat. 1001, 1031); sec. 207, Rev. Act. 1964 (78 Stat. 42)]

PAR. 7. Section 1.902 is amended by revising section 902 and by adding a historical note as follows:

**§ 1.902 Statutory provisions; credit for corporate stockholder in foreign corporation.**

Sec. 902. *Credit for corporate stockholder in foreign corporation*—(a) *Treatment of taxes paid by foreign corporation.* For purposes of this subpart, a domestic corporation which owns at least 10 percent of the voting stock of a foreign corporation from which it receives dividends in any taxable year shall—

(1) To the extent such dividends are paid by such foreign corporation out of accumulated profits (as defined in subsection (c)(1)(A)) of a year for which such foreign corporation is not a less developed country corporation, be deemed to have paid the same proportion of any income, war profits, or excess profits taxes paid or deemed to be paid by such foreign corporation to any foreign country or to any possession of the United States on or with respect to such accumulated profits, which the amount of such dividends (determined without regard to section 78) bears to the amount of such accumulated profits in excess of such income, war profits, and excess profits taxes (other than those deemed paid); and

(2) To the extent such dividends are paid by such foreign corporation out of accumulated profits (as defined in subsection (c)(1)(B)) of a year for which such foreign corporation is a less developed coun-



try corporation, be deemed to have paid the same proportion of any income, war profits, or excess profits taxes paid or deemed to be paid by such foreign corporation to any foreign country or to any possession of the United States on or with respect to such accumulated profits, which the amount of such dividends bears to the amount of such accumulated profits.

(b) *Foreign subsidiary of foreign corporation.* If such foreign corporation owns 50 percent or more of the voting stock of another foreign corporation from which it receives dividends in any taxable year, it shall be deemed to have paid the same proportion of any income, war profits, or excess profits taxes paid by such other foreign corporation to any foreign country or to any possession of the United States, on or with respect to the accumulated profits of the corporation from which such dividends were paid which—

(1) For purposes of applying subsection (a)(1), the amount of such dividends bears to the amount of the accumulated profits (as defined in subsection (c)(1)(A)) of such other foreign corporation from which such dividends were paid in excess of such income, war profits, and excess profits taxes, or

(2) For purposes of applying subsection (a)(2), the amount of such dividends bears to the amount of the accumulated profits (as defined in subsection (c)(1)(B)) of such other foreign corporation from which such dividends were paid.

(c) *Applicable rules.*—(1) *Accumulated profits defined.* For purposes of this section, the term "accumulated profits" means with respect to any foreign corporation—

(A) For purposes of subsections (a)(1) and (b)(1), the amount of its gains, profits, or income computed without reduction by the amount of the income, war profits, and excess profits taxes imposed on or with respect to such profits or income by any foreign country or any possession of the United States; and

(B) For purposes of subsections (a)(2) and (b)(2), the amount of its gains, profits, or income in excess of the income, war profits, and excess profits taxes imposed on or with respect to such profits or income.

The Secretary or his delegate shall have full power to determine from the accumulated profits of what year or years such dividends were paid, treating dividends paid in the first 60 days of any year as having been paid from the accumulated profits of the preceding year or years (unless to his satisfaction shown otherwise), and in other respects treating dividends as having been paid from the most recently accumulated gains, profits, or earnings.

(2) *Accounting periods.* In the case of a foreign corporation, the income, war profits, and excess profits taxes of which are determined on the basis of an accounting period of less than 1 year, the word "year" as used in this subsection shall be construed to mean such accounting period.

(d) *Less developed country corporation defined.* For purposes of this section, the term "less developed country corporation" means—

(1) A foreign corporation which, for its taxable year, is a less developed country corporation within the meaning of section 955(c)(1) or (2), and

(2) A foreign corporation which owns 10 percent or more of the total combined voting power of all classes of stock entitled to vote of a foreign corporation which is a less developed country corporation within the meaning of section 955(c)(1), and—

(A) 80 percent or more of the gross income of which for its taxable year meets the requirement of section 955(c)(1)(A); and

(B) 80 percent or more in value of the assets of which on each day of such year con-

sists of property described in section 955(c)(1)(B).

A foreign corporation which is a less developed country corporation for its first taxable year beginning after December 31, 1962, shall, for purposes of this section, be treated as having been a less developed country corporation for each of its taxable years beginning before January 1, 1963.

(e) *Cross references.* (1) For inclusion in gross income of an amount equal to taxes deemed paid under subsection (a)(1), see section 78.

(2) For application of subsections (a) and (b) with respect to taxes deemed paid in a prior taxable year by a United States shareholder with respect to a controlled foreign corporation, see section 960.

(3) For reduction of credit with respect to dividends paid out of accumulated profits for years for which certain information is not furnished, see section 6038.

[Sec. 902 as amended by sec. 6(b)(2), Act of Sept. 14, 1960 (Pub. Law 86-780, 74 Stat. 1016); sec. 9(a), Rev. Act 1962 (76 Stat. 999)]

PAR. 8. Section 1.902-1 is amended by revising the heading thereof and by adding a paragraph (f) thereto as follows:

§ 1.902-1 Credit for domestic corporate shareholder of a foreign corporation (before amendment by Revenue Act of 1962).

(f) *Effective dates for the application of this section.* Paragraphs (a) through (e) of this section shall cease to apply as provided in § 1.902-5. All references in this section to section 902 are to section 902 before amendment by section 9(a) of the Revenue Act of 1962 (76 Stat. 999).

PAR. 9. Section 1.902-2 is amended by revising the heading thereof and by adding a paragraph (d) thereto as follows:

§ 1.902-2 Special rules for payments from certain wholly-owned foreign corporations (before amendment by Revenue Act of 1962).

(d) *Effective dates for the application of this section.* Paragraph (a) of this section shall not apply to any payment which is made by a wholly-owned foreign subsidiary to its domestic parent corporation and which, without the application of this paragraph and to the extent provided in such paragraph (a), is treated as a distribution by the foreign subsidiary to the domestic parent corporation for purposes of subtitle A of the Code and for purposes of the foreign tax credit of the domestic parent—

(1) If such payment is received from such foreign subsidiary by such domestic parent corporation after December 31, 1964, irrespective of the date on which begins the taxable year of such foreign subsidiary in which are accumulated the profits, if any, which would be adjusted under section 312 by reason of such payment, or

(2) If such payment is received from such foreign subsidiary by such domestic parent corporation—

(i) Before January 1, 1965,

(ii) In a taxable year of such domestic parent corporation beginning after December 31, 1962, but only

(iii) To the extent such payment is made out of the accumulated profits of

such foreign subsidiary for a taxable year of such foreign subsidiary beginning after December 31, 1962.

For special rules relating to determination of accumulated profits for purposes of this paragraph, see § 1.902-5. However, in applying such special rules for purposes of this paragraph, the term "distribution" as used in § 1.902-5 shall mean a payment referred to in this paragraph. All references in this section to section 902 are to section 902 before amendment by section 9(a) of the Revenue Act of 1962 (76 Stat. 999). The application of this paragraph may be illustrated by the following example:

*Example.* Throughout 1962 and 1963, domestic corporation M owns all the one class of stock of foreign corporation A, which is engaged in manufacturing. On January 1, 1962, corporations A and M enter into a contractual arrangement under which for 1962 and 1963 M Corporation agrees to furnish technical services to A Corporation in consideration of a royalty payment by A Corporation determined as a percentage of its gross sales. The contractual arrangement further provides that the royalty payment received by M Corporation shall be accepted by such corporation in lieu of dividends and that A Corporation shall neither declare nor pay dividends of any kind in any calendar year in which such royalty payment is made. Both corporations use the calendar year as the taxable year. Corporation A has accumulated profits for 1962 and 1963 of \$15,000 and \$50,000, respectively. Under the terms of its contractual arrangement with A Corporation, M Corporation receives on December 31, 1962, and on December 31, 1963, royalty payments in the amount of \$10,000 and \$55,000, respectively. Under paragraph (a) of this section, without the application of this paragraph, such payments would constitute distributions. Corporation A neither declares nor pays any dividends to M Corporation in 1962 or 1963. In accordance with section 316(a)(2), the royalty payment received on December 31, 1962, is considered made out of the accumulated profits of A Corporation for 1962, and the royalty payment received on December 31, 1963, is considered made first out of the accumulated profits of A Corporation for 1963 to the extent thereof and then out of the accumulated profits of A Corporation for 1962. Accordingly, paragraph (a) of this section shall apply to the entire \$10,000 distribution in 1962. Paragraph (a) of this section shall not apply to \$50,000 of the \$55,000 distribution in 1963 since \$50,000 is considered received by M Corporation from the accumulated profits of A Corporation for a taxable year of A Corporation beginning after December 31, 1962. However, paragraph (a) of this section shall apply to \$5,000 of such \$55,000 distribution since \$5,000 is considered received by M Corporation from the accumulated profits of A Corporation for a taxable year of A Corporation beginning before January 1, 1963.

PAR. 10. There are inserted immediately after § 1.902-2 the following new sections:

§ 1.902-3 Credit for domestic corporate shareholder of a foreign corporation (after amendment by Revenue Act of 1962).

(a) *Domestic shareholder owning stock in a first-tier corporation.*—(1) *In general.* If a domestic shareholder (meaning for purposes of section 902 a domestic corporation owning at least 10 percent of the voting stock of a foreign corporation, such foreign corporation for purposes of section 902 being referred to



as a first-tier corporation) receives dividends in any taxable year from its first-tier corporation, the credit for foreign income taxes allowed by section 901 includes, subject to the conditions and limitations prescribed in subparagraphs (4) through (8) of this paragraph, the foreign income taxes deemed, in accordance with subparagraphs (2) and (3) of this paragraph, to be paid by such domestic shareholder for such year. For purposes of this section, § 1.902-4, and § 1.902-5, the term "foreign income taxes" means income, war profits, and excess profits taxes, and taxes included in the term "income, war profits, and excess profits taxes" by reason of section 903, imposed by a foreign country or a possession of the United States.

(2) *First-tier corporation which is not a less developed country corporation.* To the extent dividends are paid by a first-tier corporation to its domestic shareholder out of accumulated profits, as defined in paragraph (c) (1) of this section, of a taxable year for which such first-tier corporation is not a less developed country corporation, as defined in § 1.902-4, the domestic shareholder shall be deemed to have paid the same proportion of any foreign income taxes paid, accrued, or deemed, in accordance with paragraph (b) (2) of this section, to be paid by such first-tier corporation on or with respect to such accumulated profits for such year which the amount of such dividends (determined without regard to the gross-up under section 78) bears to the amount by which such accumulated profits exceed the amount of such taxes (other than those deemed, under paragraph (b) (2) of this section, to be paid). For determining the amount of foreign income taxes paid or accrued by such first-tier corporation on or with respect to the accumulated profits for the taxable year of such first-tier corporation, see paragraph (c) (4) of this section.

(3) *First-tier corporation which is a less developed country corporation.* To the extent dividends are paid by a first-tier corporation to its domestic shareholder out of accumulated profits, as defined in paragraph (c) (2) of this section, of a taxable year for which such first-tier corporation is a less developed country corporation, as defined in § 1.902-4, the domestic shareholder shall be deemed to have paid the same proportion of any foreign income taxes paid, accrued, or deemed, in accordance with paragraph (b) (3) of this section, to be paid by such first-tier corporation on or with respect to such accumulated profits for such year which the amount of such dividends bears to the amount of such accumulated profits. For determining the amount of foreign income taxes paid or accrued by such first-tier corporation on or with respect to the accumulated profits for the taxable year of such first-tier corporation, see paragraph (c) (4) of this section.

(4) *Time for stock ownership by domestic shareholder.* The 10-percent stock ownership requirement referred to in subparagraph (1) of this paragraph with respect to a domestic shareholder which in any taxable year receives a dividend from a foreign corporation must be satisfied only at the time such divi-

dend is received by such domestic shareholder. See the example provided in paragraph (b) (4) of this section.

(5) *Dividends from more than one first-tier corporation.* If dividends are received by a domestic shareholder from more than one first-tier corporation, the taxes deemed to be paid by such shareholder under section 902(a) shall be computed separately with respect to the dividends received from each of such first-tier corporations.

(6) *Information to be furnished.* If the credit for foreign income taxes claimed under section 901 includes taxes deemed, under subparagraphs (2) and (3) of this paragraph, to be paid, the taxpayer must furnish the same information with respect to such taxes as it is required to furnish with respect to the taxes actually paid or accrued by it and for which credit is claimed. See § 1.905-2. For other information required to be furnished by the domestic shareholder for the annual accounting period of certain foreign corporations ending with or within such shareholder's taxable year, see section 6038 and § 1.6038-2.

(7) *Use of credit limited.* Any taxes deemed, under subparagraphs (2) and (3) of this paragraph, to be paid by the domestic shareholder shall be deemed to be paid by such shareholder only for purposes of the foreign tax credit allowed under section 901. See § 1.904-1 for other limitations on the amount of the credit. Further, see the regulations under sections 960, 962, and 963, for special rules relating to the application of section 902 in computing the foreign tax credit of United States shareholders of controlled foreign corporations.

(8) *Gross-up of dividends deemed paid.* Any taxes deemed, under section 902(a) (1) and subparagraph (2) of this paragraph, to have been paid by a domestic shareholder for the taxable year shall be included in the gross income of such shareholder as dividends for such taxable year pursuant to section 78 and § 1.78-1.

(b) *First-tier corporation owning stock in a second-tier corporation.* (1) *In general.* For purposes of applying section 902(a) and paragraph (a) (2) and (3) of this section, if a first-tier corporation receives dividends in any taxable year from its second-tier corporation (meaning for purposes of section 902 a foreign corporation at least 50 percent of the voting stock of which is owned by such first-tier corporation), the foreign income taxes deemed to be paid by the first-tier corporation on or with respect to its own accumulated profits for such year shall be the amount determined in accordance with subparagraphs (2) and (3) of this paragraph.

(2) *First-tier corporation which is not a less developed country corporation.* A first-tier corporation which is not a less developed country corporation, as defined in § 1.902-4, for its taxable year in which it receives dividends from its second-tier corporation shall be deemed to have paid for such year the same proportion of any foreign income taxes paid or accrued by its second-tier corporation on or with respect to the accumulated profits, as defined in paragraph (c) (2)

(1) of this section, for the taxable year of the second-tier corporation from which such dividends are paid which the amount of such dividends bears to the amount by which such accumulated profits of the second-tier corporation exceed the taxes so paid or accrued. This rule shall apply whether or not the second-tier corporation is a less developed country corporation for its taxable year. For determining the amount of the foreign income taxes paid or accrued by such second-tier corporation on or with respect to the accumulated profits for the taxable year of such second-tier corporation, see paragraph (c) (4) of this section.

(3) *First-tier corporation which is a less developed country corporation.* A first-tier corporation which is a less developed country corporation, as defined in § 1.902-4, for its taxable year in which it receives dividends from its second-tier corporation shall be deemed to have paid for such year the same proportion of any foreign income taxes paid or accrued by its second-tier corporation on or with respect to the accumulated profits, as defined in paragraph (c) (3) (ii) of this section, for the taxable year of the second-tier corporation from which such dividends are paid which the amount of such dividends bears to the amount of such accumulated profits of the second-tier corporation. This rule shall apply whether or not the second-tier corporation is a less developed country corporation for its taxable year. For determining the amount of the foreign income taxes paid or accrued by such second-tier corporation on or with respect to the accumulated profits of the taxable year of such second-tier corporation, see paragraph (c) (4) of this section.

(4) *Time for stock ownership by first-tier corporation.* The 50-percent stock ownership requirement referred to in subparagraph (1) of this paragraph with respect to a first-tier corporation which in any taxable year receives a dividend from another foreign corporation must be satisfied only at the time such dividend is received by such first-tier corporation. The application of this subparagraph and paragraph (a) (4) of this section may be illustrated by the following example:

*Example.* On December 1, 1966, foreign corporation A purchases all the one class of stock of foreign corporation B. Both corporations use the calendar year as the taxable year. On December 15, 1966, B Corporation distributes all of its accumulated profits for both 1965 and 1966. On December 20, 1966, A Corporation receives the dividend from B Corporation, and on December 31, 1966, A Corporation sells all the stock in B Corporation. On December 1, 1967, domestic corporation M purchases all the stock of A Corporation. Corporation M uses the calendar year as the taxable year. On December 15, 1967, A Corporation distributes all of its accumulated profits for both 1966 and 1967. On December 20, 1967, M Corporation receives the dividend from A Corporation. Corporation A satisfies the 50-percent stock ownership requirement referred to in subparagraph (1) of this paragraph with respect to B Corporation on December 20, 1966, and M Corporation satisfies the 10-percent stock ownership requirement referred to in paragraph (a) (1) of this section with respect to A Corporation on December 20, 1967.



For 1967, M Corporation is entitled to a credit for the foreign income taxes paid by A Corporation for 1966 and 1967 and by B Corporation for 1965 and 1966.

(c) *Determination of accumulated profits and taxes paid on or with respect thereto*—(1) *First-tier corporation which is not a less developed country corporation.* The accumulated profits for any taxable year of a first-tier corporation which is not a less developed country corporation, as defined in § 1.902-4, for such year shall, in accordance with section 902(c)(1)(A), be the sum of—

(i) The earnings and profits of such corporation for such year, and

(ii) The foreign income taxes imposed on or with respect to the gains, profits, and income to which such earnings and profits are attributable.

(2) *First-tier corporation which is a less developed country corporation.* The accumulated profits for any taxable year of a first-tier corporation which is a less developed country corporation, as defined in § 1.902-4, for such year shall, in accordance with section 902(c)(1)(B), be the amount of the earnings and profits of such corporation for such year.

(3) *Second-tier corporation*—(i) *Subsidiary of a first-tier corporation which is not a less developed country corporation.* If a first-tier corporation is not a less developed country corporation for the taxable year in which it receives dividends from its second-tier corporation, the accumulated profits of the second-tier corporation for its taxable year from which such dividends are paid shall be determined under section 902(c)(1)(A) and by applying the principles of subparagraph (1) of this paragraph, even though such second-tier corporation is a less developed country corporation for such year.

(ii) *Subsidiary of a first-tier corporation which is a less developed country corporation.* If a first-tier corporation is a less developed country corporation for the taxable year in which it receives dividends from its second-tier corporation, the accumulated profits of the second-tier corporation for its taxable year from which such dividends are paid shall be determined under section 902(c)(1)(B) and by applying the principles of subparagraph (2) of this paragraph, even though such second-tier corporation is not a less developed country corporation for such year.

(4) *Taxes paid on or with respect to accumulated profits of a foreign corporation.* For purposes of this section, the amount of foreign income taxes paid or accrued on or with respect to the accumulated profits of a first-tier corporation or second-tier corporation, as the case may be, for any taxable year shall be so much of the foreign income taxes for such year as is properly attributable to such accumulated profits. For such purpose, the foreign income taxes which are properly attributable to the accumulated profits for any taxable year shall be the same proportion of the foreign income taxes imposed on or with respect to the gains, profits, and income for the taxable year as the accumulated profits, as determined under the applicable pro-

vision of this paragraph, bear to the total amount of such gains, profits, and income. Since, in applying the preceding sentence to a first-tier corporation which is not a less developed country corporation for the taxable year (and to a second-tier corporation to which subparagraph (3) (i) of this paragraph applies), the accumulated profits, determined in accordance with subparagraph (1) of this paragraph, for the taxable year are always equal to the total amount of the gains, profits, and income for such year, the foreign income taxes imposed on or with respect to such accumulated profits shall be the entire amount of the foreign income taxes paid or accrued for such year on or with respect to such gains, profits, and income. For purposes of this subparagraph, the gains, profits, and income of a foreign corporation for any taxable year shall be determined after reduction by any income, war profits, or excess profits taxes imposed on or with respect to such gains, profits, and income by the United States.

(5) *Determination of earnings and profits*—(i) *Taxable year to which section 963 does not apply.* For purposes of this section, the earnings and profits of a foreign corporation for any taxable year beginning after December 31, 1962, other than a taxable year to which subdivision (ii) of this subparagraph applies may, if the domestic shareholder chooses, be determined under the rules provided by § 1.964-1 exclusive of paragraphs (d) and (e) of such section. The translation of amounts so determined into United States dollars or other foreign currency shall be made at the proper exchange rate for the date of distribution with respect to which the determination is made.

(ii) *Taxable year to which section 963 applies.* For any taxable year of a foreign corporation with respect to which there applies under paragraph (c)(1) of § 1.963-1 an election by a corporate United States shareholder to exclude from its gross income for the taxable year the subpart F income of a controlled foreign corporation, the earnings and profits of such foreign corporation for such year with respect to such shareholder must be determined, for purposes of this section, under the rules provided by § 1.964-1, even though the amount of the minimum distribution required under paragraph (a) of § 1.963-2 to be received by such shareholder from such earnings and profits of such foreign corporation, or from the consolidated earnings and profits of the chain or group which includes such foreign corporation, is zero.

(6) *Determination by district director.* The district director in whose district is filed the income tax return of the domestic shareholder claiming a credit under section 901 for foreign income taxes deemed, under section 902 and this section, to be paid by such shareholder shall have the power to determine, with respect to a first-tier or a second-tier corporation, from the accumulated profits of what taxable year or years the dividends were paid. In making such determination the district director shall, unless it is otherwise established to his satisfaction, treat any dividends which

are paid in the first sixty days of any taxable year of such a corporation as having been paid from the accumulated profits of the preceding taxable year or years of such corporation and shall, in other respects, treat any dividends as having been paid from the most recently accumulated profits. For purposes of this subparagraph, in the case of a first-tier or a second-tier corporation the foreign income taxes of which are determined on the basis of an accounting period of less than 1 year, the term "year" shall mean such accounting period. See sections 441(b)(3) and 443.

(d) *Source of income from first-tier corporation and country to which tax is deemed paid*—(1) *Source of income*—[Reserved]

(2) *Country to which taxes deemed paid.* For purposes of section 904, all foreign income taxes paid, or deemed under paragraph (b) of this section to be paid, by a first-tier corporation shall be deemed to be paid to the foreign country or possession of the United States under the laws of which such first-tier corporation is created or organized.

(e) *United Kingdom income taxes paid with respect to royalties.* A taxpayer shall not be deemed under section 902 and this section to have paid any taxes with respect to which a credit is allowable to such taxpayer or any other taxpayer by virtue of section 905(b).

(f) *Dividend defined.* For the definition of the term "dividend" for purposes of applying section 902 and this section, see section 316.

(g) *Dividend received.* A dividend shall be considered received for purposes of section 902 and this section, when the cash or other property is unqualifiedly made subject to the demands of the distributee. See paragraph (b) of § 1.301-1.

(h) *Reduction of foreign taxes paid or deemed paid.* For reduction of the amount of foreign income taxes paid or deemed paid by a foreign corporation for purposes of section 902 and this section, see section 6038(b) and the regulations thereunder, relating to failure to furnish information with respect to certain foreign corporations.

(i) *Illustrations.* The application of this section may be illustrated by the following examples:

*Example (1).* Throughout 1965, domestic corporation M owns all the one class of stock of foreign corporation A, not a less developed country corporation. Both corporations use the calendar year as the taxable year. Corporation A has accumulated profits, pays foreign income taxes, and pays dividends for 1965 as summarized below. For 1965, M Corporation is deemed, under paragraph (a) (2) of this section, to have paid \$20 of the foreign income taxes paid by A Corporation for 1965 and includes such amount in gross income under section 78 as a dividend, determined as follows:

Gains, profits, and income of A Corporation	\$100
Foreign income taxes imposed on or with respect to gains, profits, and income	40
Accumulated profits	100
Foreign income taxes paid on or with respect to accumulated profits (total foreign income taxes)	40



Accumulated profits in excess of foreign income taxes.....	\$60
Dividends paid to M Corporation.....	30
Foreign income taxes of A Corporation deemed paid by M Corporation under sec. 902(a)(1) (\$40×\$30/\$60).....	20
Foreign income taxes included in gross income of M Corporation under sec. 78 as a dividend received from A Corporation.....	20

Example (2). The facts are the same as in example (1), except that M Corporation also owns all the one class of stock of foreign corporation B, a less developed country corporation, which also uses the calendar year as the taxable year. Corporation B has accumulated profits, pays foreign income taxes, and pays dividends for 1965 as summarized below. For 1965, M Corporation is deemed, under paragraph (a)(2) of this section, to have paid \$20 of the foreign income taxes paid by A Corporation for 1965; is deemed, under paragraph (a)(3) of this section, to have paid \$12 of the foreign income taxes paid by B Corporation for 1965; and includes \$20 in gross income as a dividend under section 78, determined as follows:

B CORPORATION	
Gains, profits, and income.....	\$100
Foreign income taxes imposed on or with respect to gains, profits, and income.....	40
Accumulated profits.....	60
Foreign income taxes paid on or with respect to accumulated profits (\$40×\$60/\$100).....	24
Dividends paid to M Corporation.....	30
Foreign income taxes of B Corporation deemed paid by M Corporation under sec. 902(a)(2) (\$24×\$30/\$60).....	12

M CORPORATION	
Foreign income taxes deemed paid under sec. 902(a):	
Taxes of A Corporation (from example (1)).....	\$20
Taxes of B Corporation (as determined above).....	12
Total.....	\$32
Foreign income taxes included in gross income under sec. 78 as a dividend:	
Taxes of A Corporation (from example (1)).....	\$20
Taxes of B Corporation.....	0
Total.....	\$20

Example (3). For 1965, domestic corporation M owns all the one class of stock of foreign corporation A, not a less developed country corporation, which in turn owns all the one class stock of foreign corporation B. All corporations use the calendar year as the taxable year. For 1965, M Corporation is deemed under paragraph (a)(2) of this section to have paid \$50 of the foreign income taxes paid, or deemed under paragraph (b)(2) of this section to be paid, by A Corporation for such year and includes such amount in gross income as a dividend under section 78, determined as follows upon the basis of the facts assumed:

B Corporation (second-tier corporation):	
Gains, profits, and income.....	\$300
Foreign income taxes imposed on or with respect to gains, profits, and income.....	120
Accumulated profits.....	300
Foreign income taxes paid by B Corporation on or with respect to its accumulated profits (total foreign income taxes).....	120
Accumulated profits in excess of foreign income taxes.....	180
Dividends paid on December 31, 1965, to A Corporation.....	90

A Corporation (first-tier corporation):	
Gains, profits, and income:	
Business operations.....	\$200
Dividends from B Corporation.....	90
Total.....	\$290
Foreign income taxes imposed on or with respect to gains, profits, and income.....	40
Accumulated profits.....	290
Foreign income taxes paid by A Corporation on or with respect to its accumulated profits (total foreign income taxes).....	40
Accumulated profits in excess of foreign income taxes.....	250
Foreign income taxes paid, and deemed to be paid, by A Corporation for 1965 on or with respect to its accumulated profits for such year (\$40×\$250).....	100
Dividends paid on December 31, 1965, to M Corporation.....	125

M Corporation (domestic shareholder):	
Foreign income taxes of A Corporation deemed paid by M Corporation for 1965 under sec. 902(a)(1) (\$100×\$125/\$250).....	50
Foreign income taxes included in gross income of M Corporation under sec. 78 as a dividend received from A Corporation.....	50

Example (4). The facts are the same as in example (3), except that A Corporation is a less developed country corporation for 1965. For 1965, M Corporation is deemed under paragraph (a)(3) of this section to have paid \$35.24 of the foreign income taxes paid, or deemed under paragraph (b)(3) of this section to be paid, by A Corporation for such year, determined as follows:

B Corporation (second-tier corporation):	
Gains, profits, and income.....	\$300.00
Foreign income taxes imposed on or with respect to gains, profits, and income.....	120.00
Accumulated profits.....	180.00
Foreign income taxes paid by B Corporation on or with respect to its accumulated profits (\$120×\$180/\$300).....	72.00
Dividends paid on Dec. 31, 1965, to A Corporation.....	90.00
Foreign income taxes of B Corporation deemed paid by A Corporation for 1965 under sec. 902(b)(2) (\$72×\$90/\$180).....	36.00

A Corporation (first-tier corporation):	
Gains, profits, and income:	
Business operations.....	\$200.00
Dividends from B Corporation.....	90.00
Total.....	\$290.00
Foreign income taxes imposed on or with respect to gains, profits, and income.....	40.00
Accumulated profits.....	250.00
Foreign income taxes paid by A Corporation on or with respect to its accumulated profits (\$40×\$250/\$250).....	34.48
Foreign income taxes paid, and deemed to be paid, by A Corporation for 1965 on or with respect to its accumulated profits for such year (\$36.00+\$34.48).....	70.48
Dividends paid on December 31, 1965, to M Corporation.....	125.00

M Corporation (domestic shareholder):	
Foreign income taxes of A Corporation deemed paid by M Corporation for 1965 under sec. 902(a)(2) (\$70.48×\$125/\$250).....	\$35.24

#### § 1.902-4 Definition of less developed country corporation for purposes of section 902.

(a) In general. For purposes of section 902, a less developed country corporation shall be—

(1) A foreign corporation which is a less developed country corporation within the meaning of section 955(c)(1) or (2) and paragraph (a) or (b) of § 1.955-5 for its taxable year; or

(2) A foreign corporation which—  
(i) Owns for its entire taxable year 10 percent or more of the total combined voting power of all classes of stock entitled to vote of another foreign corporation which is a less developed country corporation within the meaning of section 955(c)(1) and paragraph (a) (determined without reference to paragraph (b)) of § 1.955-5 for its taxable year ending with or within such taxable year of such former foreign corporation,

(ii) Derives 80 percent or more of its gross income, if any, for the taxable year from sources within less developed countries, as determined under the provisions of § 1.955-6, and

(iii) Has 80 percent or more in value of its assets on each day of its taxable year consisting of assets described in section 955(c)(1)(B), as determined under paragraph (a)(iii) of § 1.955-5.

A foreign corporation which qualifies as a less developed country corporation for a taxable year under one subparagraph of this paragraph may qualify as a less developed country corporation for another taxable year under either the same or the other subparagraph of this paragraph. If a foreign corporation would qualify under subparagraph (1) of this paragraph for a part of a taxable year if that part were treated as the entire taxable year and such foreign corporation would qualify under subparagraph (2) of this paragraph for the remainder of that taxable year if the remainder of that year were treated as the entire taxable year, such foreign corporation shall be deemed to be a less developed country corporation under this paragraph for that taxable year.

(b) Effect of qualifying or not qualifying as a less developed country corporation for first taxable year beginning after December 31, 1962.—(1) Effect of qualifying. A foreign corporation which is a less developed country corporation under paragraph (a) of this section for its first taxable year beginning after December 31, 1962, shall be considered, for purposes of section 902, as having been a less developed country corporation under section 902(d) for each of its taxable years beginning before January 1, 1963, even though such foreign corporation would have been unable to meet the tests of section 902(d)(1) or (2) for such prior taxable year if they had been applicable to such year. Thus, if at any time after December 31, 1964, a domestic shareholder receives a dividend from the profits of a first-tier corporation which were



accumulated in a taxable year beginning before January 1, 1963, section 902(a) (2) and section 902(c) (1) (B) shall apply with respect to such dividend if such first-tier corporation is, for its first taxable year beginning after December 31, 1962, a less developed country corporation under section 902(d). See also § 1.902-5.

(2) *Effect of not qualifying.* A foreign corporation which is not a less developed country corporation under paragraph (a) of this section for its first taxable year beginning after December 31, 1962, shall not be considered, for purposes of section 902, as having been a less developed country corporation under section 902(d) for any taxable year beginning before January 1, 1963, even though such foreign corporation would have been able to meet the tests of section 902(d) (1) or (2) for such prior taxable year if they had been applicable to such year. Thus, if at any time after December 31, 1964, a domestic shareholder receives a dividend from the profits of a first-tier corporation which were accumulated in a taxable year beginning before January 1, 1963, section 902(a) (1) and section 902(c) (1) (A) shall apply with respect to such dividend if such first-tier corporation is not, for its first taxable year beginning after December 31, 1962, a less developed country corporation under section 902(d). See also § 1.902-5.

(c) *Illustrations.* The application of this section may be illustrated by the following examples:

*Example (1).* For 1962 through 1965, foreign corporation A owns 50 percent of the one class of stock of foreign corporation B. On December 31, 1965, domestic corporation M purchases all the one class of stock of A Corporation. All corporations use the calendar year as the taxable year. For 1963 through 1965, B Corporation is not a less developed country corporation within the meaning of paragraph (a) of this section, but for such years A Corporation is a less developed country corporation within the meaning of paragraph (a) (1) of this section. On December 31, 1965, A Corporation and B Corporation each distributes all of its accumulated profits for 1962 through 1965. On December 31, 1965, with respect to A Corporation, B Corporation is a second-tier corporation; and on such date, with respect to M Corporation, A Corporation is a first-tier corporation. Since A Corporation is a less developed country corporation for its first taxable year beginning after December 31, 1962, it will also be treated as having been a less developed country corporation for 1962. Accordingly, with respect to the dividends received on December 31, 1965, by A Corporation and M Corporation, the accumulated profits of corporations A and B for 1962 through 1965 shall be determined in accordance with the less-developed-country-corporation rule provided by paragraph (c) (2) and (3) (ii) of § 1.902-3.

*Example (2).* The facts are the same as in example (1) except that, in addition, domestic corporation M on December 31, 1965, owns 10 percent of B Corporation's stock. On such date, with respect to M Corporation, B Corporation is a first-tier

corporation. Since B Corporation is not a less developed country corporation for its first taxable year beginning after December 31, 1962, it will not be treated as having been a less developed country corporation for 1962. Accordingly, with respect to the dividend received by A Corporation from B Corporation, and with respect to the dividend received by M Corporation from A Corporation, the accumulated profits of corporations A and B for 1962 through 1965 shall be determined as provided in example (1); however, with respect to the dividend received on December 31, 1965, by M Corporation from B Corporation, the accumulated profits of B Corporation for 1962 through 1965 shall be determined in accordance with the non-less-developed-country-corporation rule provided by paragraph (c) (1) of § 1.902-3.

*Example (3).* For 1962 through 1965, domestic corporation M owns all of the one class of stock of foreign corporation A, which throughout such period owns 10 percent of the one class of stock of foreign corporation B. Corporations M and A use the calendar year, and B Corporation uses the fiscal year ending June 30, as the taxable year. On December 31, 1965, A Corporation distributes all of its accumulated profits for 1962 through 1965 to M Corporation. Corporation B qualifies as a less developed country corporation within the meaning of paragraph (a) (1) of this section for its taxable years ending June 30, 1964, and June 30, 1965, and, since it is a less developed country corporation for its first taxable year beginning after December 31, 1962, it will also be treated as having been a less developed country corporation for its taxable year ending on June 30, 1963. Corporation A satisfies the 80-percent-of-gross-income and 80-percent-of-asset tests of paragraph (a) (2) (ii) and (iii) of this section for 1963, 1964, and 1965, throughout each of which years it owns 10 percent of the total combined voting power of all classes of stock entitled to vote of B Corporation and within each of which years ends a taxable year of B Corporation for which B Corporation is a less developed country corporation within the meaning of paragraph (a) (1) of this section. Accordingly, A Corporation qualifies as a less developed country corporation within the meaning of paragraph (a) (2) of this section for 1963, 1964, and 1965, and its accumulated profits for such years shall be determined in accordance with the less-developed-country-corporation rule provided by paragraph (c) (2) of § 1.902-3.

#### § 1.902-5 Effective dates for the application of section 902 (as amended by Revenue Act of 1962).

(a) *In general.* Sections 1.902-3 and 1.902-4 shall apply, and paragraphs (a) through (e) of § 1.902-1 shall not apply—

(1) To any distribution received from a first-tier corporation by its domestic shareholder after December 31, 1964, irrespective of the date on which begins the taxable year of such first-tier corporation in which are accumulated the profits from which such distribution is made, and

(2) To any distribution received from a first-tier corporation by its domestic shareholder—

(i) Before January 1, 1965,  
(ii) In a taxable year of such domestic shareholder beginning after December 31, 1962, but only

(iii) To the extent such distribution—  
(a) Is made out of the accumulated profits of such first-tier corporation for a taxable year of such first-tier corporation beginning after December 31, 1962, and

(b) Is not attributable to a distribution received by such first-tier corporation out of the accumulated profits of a second-tier corporation for a taxable year beginning before January 1, 1963.

(b) *Rule of attribution and taxes imposed—(1) In general.* For purposes of paragraph (a) (2) (iii) of this section, a first-tier corporation's distribution made out of its accumulated profits for a taxable year beginning after December 31, 1962, shall be considered to be made out of its accumulated profits for such year which are attributable to a distribution received from its second-tier corporation's profits accumulated in a taxable year beginning before January 1, 1963, in that amount which bears the same proportion to such distribution made by such first-tier corporation as the amount of the distribution (reduced as provided in subparagraph (2) of this paragraph) received from such second-tier corporation's profits accumulated in such year beginning before January 1, 1963, bears to the total amount of such first-tier corporation's accumulated profits for such year beginning after December 31, 1962.

(2) *Amount of reduction.* For purposes of determining under subparagraph (1) of this paragraph the ratio of the distribution received by the first-tier corporation to its accumulated profits, such distribution shall be reduced by the difference between the amount of income, war profits, and excess profits taxes paid or accrued by the first-tier corporation for the taxable year in which such distribution is received and the amount of income, war profits, and excess profits taxes that would have been paid or accrued for such year if such distribution had not been received.

(3) *Taxes imposed on or with respect to profits.* For purposes of section 902, the foreign income taxes imposed on or with respect to the gains, profits, and income of the first-tier corporation for its taxable year beginning after December 31, 1962, attributable to the distribution received from the second-tier corporation shall be the amount of foreign income taxes by which such distribution is reduced under subparagraph (2) of this paragraph, and the foreign income taxes imposed on or with respect to the remainder of the gains, profits, and income of such first-tier corporation for such year shall be the amount of foreign income taxes that would have been paid or accrued for such year if the distribution from the second-tier corporation had not been received.

(c) *Distributions out of accumulated profits.* For purposes of determining under this section the taxable year of a



first-tier corporation or a second-tier corporation out of the accumulated profits of which a distribution is made, the principles of paragraph (c)(6) of § 1.902-3, relating to determinations by the district director, shall apply.

(d) *Determination of accumulated profits.* For purposes of the effective date provisions of section 9(e) of the Revenue Act of 1962 (76 Stat. 1001) and this section, the accumulated profits of a foreign corporation for a taxable year shall be its earnings and profits for such year, determined as provided in paragraph (c)(5) of § 1.902-3.

(e) *Illustrations.* The application of this section may be illustrated by the following examples:

*Example (1).* For 1962 through 1965, domestic corporation M owns all the one class of stock of foreign corporation A, not a less developed country corporation for any of such years. Both corporations use the calendar year as the taxable year. Corporation A has accumulated profits, pays foreign income taxes, and pays dividends for such years as summarized below. For 1963 through 1965, M Corporation is deemed under section 902 (a) to have paid, and includes in income under section 78 as a dividend, foreign income taxes paid by A Corporation, as follows:

A CORPORATION				
	1962	1963	1964	1965
Gains, profits, and income.....	\$100	\$200	\$300	\$400
Foreign income taxes imposed on or with respect to gains, profits, and income.....	40	70	120	160
Accumulated profits:				
§ 1.902-1(a)(2).....	60	---	---	---
§ 1.902-3(c)(1).....	100	200	300	400
Foreign income taxes paid by A Corporation on or with respect to its accumulated profits:				
(\$40 X \$50/\$100) (American Child Co. v. United States (1949) 316 U.S. 450).....	24	---	---	---
(Local foreign income taxes) (1.902-3(c)(4)).....	40	70	120	160
Accumulated profits in excess of foreign income taxes (1.902-3(a)(2)).....	60	130	180	240
Dividends paid by A Corporation on Jan. 15 of each year to M Corporation (60-day rule of sec. 902(a) being applicable).....	---	20	140	210
Source of such dividends paid by A Corporation:				
1962 accumulated profits.....	---	20	30	30
1963 accumulated profits.....	---	---	130	---
1964 accumulated profits.....	---	---	---	180
Total dividends paid by A Corporation.....	---	20	140	210

M CORPORATION				
Foreign income taxes deemed paid by M Corporation under sec. 902(a):				
For 1962: (\$24 X \$50/\$100).....	---	\$8	---	---
For 1963: (\$20 X \$50/\$100).....	---	---	\$4	---
For 1964: (\$140 X \$50/\$100).....	---	---	---	70
For 1965: (\$210 X \$50/\$100).....	---	---	---	105
Foreign income taxes included in gross income of M Corporation under sec. 78 as a dividend received from A Corporation.....	---	---	70	140

*Example (2).* For 1963, domestic corporation M owns all the one class of stock of foreign corporation A, not a less developed country corporation for such year, which in turn owns during such year all the one class of stock of foreign corporation B. All corporations use the calendar year as the taxable year. Corporations B and A are incorporated on January 1, 1962, and January 1, 1963, respectively. For 1963, M Corporation

is deemed under section 902(a) to have paid, and includes in income under section 78 as a dividend, foreign income taxes determined as follows on the basis of the facts assumed:

	1962	1963
Determinations with respect to accumulated profits of, and dividends paid by, B Corporation (second-tier corporation):		
Gains, profits, and income of B Corporation.....	\$100	\$200
Foreign income taxes (at 40% rate) imposed on or with respect to gains, profits, and income.....	40	80
Accumulated profits:		
§ 1.902-1(a)(2).....	60	---
§ 1.902-3(c)(1).....	---	200
Foreign income taxes paid by B Corporation on or with respect to its accumulated profits:		
(\$40 X \$50/\$100).....	24	---
(Total foreign income taxes).....	---	80
Accumulated profits in excess of foreign income taxes.....	---	120
Dividends paid by B Corporation on December 31, 1963, to A Corporation.....	---	180
Source of such dividends paid by B Corporation:		
1962 accumulated profits.....	---	60
1963 accumulated profits.....	---	120
Total dividends paid by B Corporation.....	---	180

	1963		
	Old Law	New Law	Total
Determinations with respect to accumulated profits of, and dividends paid by, A Corporation (first-tier corporation):			
Gains, profits, and income of A Corporation:			
Business operations.....	---	\$100.00	\$100.00
Dividends from B Corporation.....	\$60.00	120.00	180.00
Total gains, profits, and income of A Corporation.....	60.00	220.00	280.00
Foreign income taxes imposed (at 10% rate) on or with respect to gains, profits, and income.....	6.00	22.00	28.00
Accumulated profits.....	54.00	220.00	---
Foreign income taxes paid by A Corporation on or with respect to its accumulated profits:			
(\$6 X \$54/\$100) (Total foreign income taxes).....	---	22.00	---
Accumulated profits in excess of foreign income taxes.....	---	198.00	232.00
Dividends paid by A Corporation on December 31, 1963.....	---	---	210.00
Portion of A Corporation's 1963 dividend from its 1963 accumulated profits which is considered attributable to:			
1962 accumulated profits (\$210 X \$40/\$252).....	---	---	45.00
1963 accumulated profits (\$210 X \$252/\$252).....	---	---	165.00
Foreign income taxes paid, and deemed to be paid, by A Corporation for 1963 on or with respect to its 1963 accumulated profits attributable to:			
1962 accumulated profits (\$5.40 X \$40/\$252).....	---	---	22.40
1963 accumulated profits (\$22 X \$80 X \$120/\$120).....	---	---	102.00

Determination of taxes deemed paid by, and gross-up of, M Corporation (domestic shareholder):		
Foreign income taxes deemed paid by M Corporation under sec. 902 for 1963 on or with respect to A Corporation's 1963 accumulated profits attributable to:		
1962 accumulated profits (\$29.40 X \$45/\$54).....	---	\$24.50
1963 accumulated profits (\$162 X \$165/\$198).....	---	85.00
Foreign income taxes included in gross income of M Corporation under sec. 78 as a dividend received from A Corporation.....	---	85.00

(Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

[P.R. Doc. 65-2300; Filed, Mar. 8, 1965; 8:45 a.m.]

## Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration PART 17—MEDICAL

#### Utilization of Facilities Other Than Those Under Direct and Exclusive Jurisdiction of the Veterans Administration

In § 17.50, paragraph (j) is added to read as follows:

§ 17.50 Utilization of facilities other than those under direct and exclusive jurisdiction of the Veterans Administration.

(j) (1) Nursing home care for veterans hospitalized in Veterans Administration hospitals under § 17.47 (a), (b), (c), or (d) who have attained maximum hospitalization benefits and will require a protracted period of nursing home care, may be furnished at Veterans Administration expense upon transfer to a Veterans Administration-approved public or private institution furnishing such care: *Provided, That:*

(i) The cost of nursing home care for such veterans in such institution does not exceed one-third of the cost of care furnished by the Veterans Administration in a general medical and surgical hospital as is determined from time to time by the Administrator.

(ii) Such institution is determined to meet the physical and professional standards prescribed by the Chief Medical Director.

(2) Nursing home care as provided in subparagraph (1) of this paragraph may be furnished at the expense of the Veterans Administration for as much as 6 months in the aggregate in connection with any one transfer and the Chief Medical Director, his deputies, or the responsible Area Medical Director may authorize an extension of time for circumstances of a most unusual nature such as when additional time is needed to complete imminent arrangements for other care. (Sec. 213, title 38, U.S.C., and sec. 2, Pub. Law 88-450.)

(72 Stat. 1114; 38 U.S.C. 210)

This VA Regulation is effective April 1, 1965.

By direction of the Administrator.

Approved: March 2, 1965.

[SEAL] CYRIL F. BRICKFIELD,  
Deputy Administrator.

[P.R. Doc. 65-2406; Filed, Mar. 8, 1965; 8:47 a.m.]

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department PART 98—VENDING STANDS AND VENDING MACHINES

#### Authorizations and Assignments of Profits

The regulations of the Post Office Department are hereby amended to provide



requirements that must be met when outside vending machine companies acquire a contract to install, operate, and maintain vending machines in postal facilities. Additionally, amendments are made in order to codify regulations dealing with the assignment of profits from vending machines in postal facilities. The amendments are as follows:

1. In § 98.1 *Authorizations*, as amended by 29 F.R. 13140, add new paragraph (f) *Outside firms*, to read as follows:

§ 98.1 *Authorizations.*

(f) *Outside firms.* (1) When Employee Welfare Committees contract with outside firms to install, operate and maintain vending machines, the contract must specify that:

(i) The vending machine company which is awarded the contract shall hire visually handicapped persons to the maximum extent to operate, maintain and service the machines; and

(ii) The contractor shall train the visually handicapped personnel in the operation of vending machines.

(2) Contracts in effect on March 16, 1965, will not be affected by instructions in subparagraph (1) of this paragraph, until their expiration.

NOTE: The corresponding Postal Manual section is 614.16.

§ 98.6 [Reserved]

2. Section 98.6 is reserved.

3. Add new § 98.7 *Assignment of profits*, to read as follows:

§ 98.7 *Assignment of profits.*

(a) *To blind persons.* Profits from all vending machines presently operated by a licensed blind operator of a lobby stand, either in conjunction with his stand or in other areas of the same building under control of the Post Office Department, shall be assigned to the blind operator. When machines are being operated by an employees' committee in proximity to a stand or machines operated by a blind person and are in competition therewith, and a blind operator is not receiving an adequate income, consideration shall be given to assigning him all or part of the profits from other vending machines in the same building, regardless of location. (Adequate income is construed as being the equivalent of the average income of the average employee at the installation.) Reassignment of profits shall be considered only upon request from a State licensing agency to a postmaster or other postal official in charge of an installation. Assignment of profits to the blind operator from other vending machines shall be determined by the postal official in charge and the State licensing agency on the basis of the following:

(1) Proximity to and competition with the vending stand;

(2) Amount of income which accrues to the operator from the stand operation; and

(3) Amount of profits from vending machines not operated in connection with the stand.

(b) *To employees' committees.* All income received by employees' committees from vending machines or other en-

terprises (except cafeterias, which are governed by other regulations) shall be used advantageously for the welfare and recreational activities of all employees. No profits shall accrue to the benefit of any single group, organization, or individual.

NOTE: The corresponding Postal Manual section is 614.7.

(R.S. 161, as amended; 5 U.S.C. 22, 20 U.S.C. 107-107r, 39 U.S.C. 501)

LOUIS J. DOYLE,  
General Counsel.

[F.R. Doc. 65-2407; Filed, Mar. 8, 1965; 8:47 a.m.]

PART 111—CONDITIONS APPLICABLE TO ALL CLASSES

PART 112—RATES AND CONDITIONS FOR SPECIFIC CLASSES

PART 132—REGISTRATION

PART 141—SHIPPER'S EXPORT DECLARATION

PART 161—INQUIRIES AND COMPLAINTS

PART 162—INDEMNITY CLAIMS AND PAYMENTS

PART 163—POSTAGE REFUNDS

International Mail

The regulations of the Post Office Department respecting international mail are amended to reflect the following changes:

1. Postal Union Mail: Amended to clarify that AO air rates apply to items admitted internationally as "Matter for the Blind."

2. Return Receipts: Amended to require that requests for return receipts made after mailing be forwarded to postmasters at appropriate exchange offices instead of postal inspectors in charge.

3. Nonpostal Export Regulations: Amended to update the list of countries where the U.S. prohibits distribution of certain commodities, and to show availability of the 1965 edition of schedule B, "Statistical Classification of Domestic and Foreign Commodities Exported from the United States."

4. Inquiries and Complaints: Amended for clarification and to reflect new requirements for reporting certain inquiries and complaints.

5. Indemnity Claims and Payments: Amended to provide that certain claims for indemnity shall be instituted only on instructions from postmasters at appropriate adjusting exchange offices instead of the postal inspection service.

The amendments are as follows:

In Part 111:

In § 111.3(b) *Restricted articles*, amend subdivision (ii)(b) of subparagraph (5) to read as follows:

§ 111.3 *Prohibitions and restrictions.*

(b) . . .

(5) *Perishable biological materials.* . . .

(ii) *Qualification of mailers.* . . .

(b) A laboratory desiring to mail letter packages containing materials of this kind shall make written application on its letterhead stationery to the International Service Division, Bureau of Transportation and International Services, Post Office Department, Washington, D.C., 20260, explaining its qualifications and those of the prospective addressee to send and receive such materials, and stating how many packages are to be mailed. On approval, the mailer will receive a sufficient number of the violet labels for the contemplated shipments.

NOTE: The corresponding Postal Manual section is 221.325b(2).

In Part 112:

In § 112.5 *Matter for the blind*, amend subparagraph (2) of paragraph (a) to read as follows:

§ 112.5 *Matter for the blind.*

(a) *Rates.* . . .

(2) *Airmail.* AO (other articles) air rates apply to items admitted internationally as *Matter for the Blind*. See country items in § 168.5 of this chapter.

NOTE: The corresponding Postal Manual section is 223.512.

In Part 132:

In § 132.5 *Return receipts*, amend subparagraph (2)(i)(a) of paragraph (b) to read as follows:

§ 132.5 *Return receipts.*

(b) *Requested after mailing.* . . .

(2) The post office will deal with such requests as follows: (i) Countries other than Canada: (a) Prepare Form 542 (at first- and second-class offices) or Form 1510 (at third- and fourth-class offices) and write at the top "Request for return receipt made after mailing." Prepare Form 2865 (at first-, second-, and third-class offices) and forward, together with Form 542 or 1510, to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter.

NOTE: The corresponding Postal Manual section is 242.522a(1).

In Part 141:

In § 141.3 *Information to be furnished*, as amended by 29 F.R. 9795-9796, amend paragraph (b)(3) and paragraph (c) to read as follows:

§ 141.3 *Information to be furnished.*

(b) . . .

(3) United States law prohibits distribution of these commodities to the Soviet Bloc, Communist China, North Korea, Macao, Hong Kong, or Communist controlled areas of Vietnam, or Cuba, unless otherwise authorized by the United States.

(c) The description of contents and units of quantity must be in the detail required by Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States, 1965 edition. The shipper may



obtain copies of Schedule B for a nominal charge from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20401, from Collectors of Customs, or from Department of Commerce field offices located in principal cities of the United States. General descriptions, such as dry goods, groceries, or millinery, are not sufficient. Quantities and values must be given in whole numbers only, omitting fractions of less than one-half and counting one-half and over as a whole.

Note: The corresponding Postal Manual sections are 251.32c and 251.33.

#### In Part 161:

I. § 161.3 *Incomplete return receipts* is amended to read as follows:

#### § 161.3 Incomplete return receipts.

If the sender receives a return receipt not properly completed (see § 132.5(d) of this chapter), the receipt with the complaint is transmitted to the International Service Division, Bureau of Transportation and International Services, Post Office Department, Washington, D.C., 20260.

Note: The corresponding Postal Manual section is 271.3.

II. In § 161.4 *Charges for inquiries*, amend the last sentence in paragraph (a) *When applicable*, to read as follows: "The inquiry or complaint is transmitted by airmail, if practicable."

Note: The corresponding Postal Manual section is 271.41.

III. In § 161.4 *Charges for inquiries*, amend paragraph (c) to read as follows:

#### § 161.4 Charges for inquiries.

(c) *Telegraph inquiry.* If the sender desires that the inquiry be sent by telegraph or cable, his request must be accompanied with an amount sufficient to pay the telegraph or cable charges, and if a reply by telegraph or cable is desired, the sender must pay the charges both ways. Such request should be forwarded to the postal inspector in charge of the division in which the office of mailing or address is located.

Note: The corresponding Postal Manual section is 271.43.

IV. Section 161.5 *Processing* is amended to read as follows:

#### § 161.5 Processing.

(a) *Mail exchanged with Canada—(1) Registered and ordinary—(i) Mailed in United States.* (a) Inquiries as to disposition or complaints of loss are reported on Form 1510. Enter dispatch particulars (except ordinary parcels) from mailing office on back of the form, and send it to the postmaster at the office of address in Canada.

(b) Complaints of rifling, damage, delay, or wrong delivery are reported on Form 1510, suitably altered, to the Postmaster, Chicago, Ill., 60607, with the envelope or wrapper, if available.

(ii) *Mailed to United States.* (a) Inquiries as to disposition or complaints of loss are reported on Form 1510 and sent to the postmaster at the office of mailing in Canada. If the registry receipt is not

available, ask the complainant to have inquiry made at the office of mailing.

(b) Complaints of rifling, damage, delay, or wrong delivery are reported on Form 1510, suitably altered, to the Postmaster, Chicago, Ill., 60607, with the envelope or wrapper, if available.

(iii) *Inquiries of Canadian origin.* Post offices will return Canadian inquiries, appropriately endorsed with the result of their findings, to the point in Canada from which received. If loss of mail to or from Canada is disclosed, report the matter on Form 1510 to the Postmaster, Chicago, Ill., 60607. In the case of mail from Canada, the necessary information should be obtained from the Canadian inquiry form before it is returned.

(2) *Insured parcels—(i) Mailed in United States.* (a) On inquiries as to disposition, complete Form 2855 and send to the postmaster at the office of address in Canada. If delivery is disclosed, the endorsed form will be returned to the office of mailing so that the sender may be informed accordingly and the case closed. If loss or rifling is disclosed, the Canadian officials will send the form to the Postmaster, Chicago, Ill., 60607. Should a form disclosing loss or rifling be sent by mistake to the postmaster at the office of mailing, send it promptly to the Postmaster in Chicago.

(b) On complaints of prima facie loss, rifling, damage, delay, or wrong delivery, complete Form 2855 and send to the Canadian District Director of Postal Service in the province in which the office of address is located, as follows:

Provinces	Location of district directors
Alberta.....	Calgary, Alberta, Canada.
British Columbia.....	Vancouver, British Columbia, Canada.
Manitoba.....	Winnipeg, Province of Manitoba, Canada.
New Brunswick.....	Saint John, New Brunswick, Canada.
Newfoundland (including Labrador).....	St. John's, Newfoundland, Canada.
Northwest Territories.....	Edmonton, Alberta, Canada.
Nova Scotia.....	Halifax, Nova Scotia, Canada.
Ontario.....	Toronto, Ontario, Canada.
Prince Edward Island.....	Saint John, New Brunswick, Canada.
Quebec.....	Montreal, Province of Quebec, Canada.
Saskatchewan.....	Saskatoon, Saskatchewan, Canada.
Yukon Territory.....	Vancouver, British Columbia, Canada.

(c) If application for indemnity is received on Canadian Form 43A, bearing information supplied by the addressee and the Canadian Postal Service for damage or rifling, complete the Form 43A, in lieu of Form 2855, and forward to the Postmaster, Chicago, Ill., 60607.

(ii) *Mailed to United States.* (a) If a complaint of loss, rifling, damage, delay, or wrong delivery originates in the United States, complete Form 1510 and send parts II and III of the original to the postmaster at the mailing office in Canada with the packing of the parcel if

available. If the packing has been destroyed or otherwise disposed of, the complaint shall be endorsed accordingly. If complaint is of loss or rifling send a copy of part II of Form 1510, endorsed to show disposition of the original, to the postal inspector in charge of the division in which the office of destination is located.

(b) On receipt of a Canadian indemnity form, it shall be properly completed and returned to the Canadian District Director of Postal Service from whom the form was received. If obtainable in cases of rifling or damage, the packing of the parcels shall be transmitted to the Canadian Administration with the indemnity form. If the packing has been destroyed or otherwise disposed of, the form shall be endorsed accordingly.

(b) *Mail exchanged with countries other than Canada—(1) Registered mail—(i) Mailed in United States—(a) Inquiries as to disposition or complaints of loss.* First- and second-class offices report on Form 542 and third- and fourth-class offices on Form 1510. Insert particulars of dispatch from the office of mailing and send form to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter.

(b) *Complaints of rifling, damage, delay, or wrong delivery.* Report on Form 1510, suitably altered, to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter with the envelope or wrapper, if available.

(ii) *Mailed to United States—(a) Inquiries as to disposition or complaints of loss.* Report on the same forms as prescribed in subdivision (i) (a) of this subparagraph, with the certificate of mailing, if available, to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter. If the registry receipt is not available, ask the complainant to have inquiry made at the office of mailing.

(b) *Complaints of rifling, damage, delay, or wrong delivery.* Report on Form 1510, suitably altered, to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter, with the envelope or wrapper, if available.

(2) *Insured mail—(i) Mailed in United States—(a) Inquiries as to disposition (as distinguished from prima facie loss) and delay.* Report on the same forms and process as prescribed in subparagraph (1) (i) (a) of this paragraph, except report complaints of delay on Form 1510, suitably altered, to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter, with the wrapper, if available.

(b) *Prima facie loss, rifling, damage, or wrong delivery.* Report on Forms 2855 and 1510, suitably altered, and accompanied with the correspondence received by sender from the addressee on which the complaint is based. Send the forms to the postmaster at the appropriate adjusting exchange office shown in § 162.2(f) of this chapter.

(ii) *Mailed to United States—(a) Inquiries as to disposition (as distinguished from prima facie loss) and delay.* Report on the same forms and process as



prescribed in subparagraph (1) (i) (a) of this paragraph, except report complaints of delay on Form 1510, suitably altered, to the postmaster at the appropriate adjusting exchange office shown in § 162.2 (f) of this chapter, with wrapper, if available.

(b) *Prima facie loss, rifling, damage, or wrong delivery.* When complaint is made at the office of address, enter the mailing particulars on Form 2855, complete declaration of postmaster—office of address portion—and obtain declaration of addressee. Forward the form and any related papers, including the cover, to the postmaster at the appropriate adjusting exchange office shown in § 162.2 (f) of this chapter.

(3) *Ordinary mail, mailed in or to the United States—(i) Inquiries as to disposition or complaints of loss.* Report on Form 541 (postal union mail) or 540 (parcel post mail) by first- and second-class offices and on Form 1510 by third- and fourth-class offices to the postmaster at the appropriate adjusting exchange office shown in § 162.2 (f) of this chapter.

(ii) *Complaints of rifling, damage, delay, or wrong delivery.* Report on Form 1510, suitably altered, to the postmaster at the appropriate adjusting exchange office shown in § 162.2 (f) of this chapter, with the envelope or wrapper, if available.

NOTE: The corresponding Postal Manual section is 271.5.

#### In Part 162:

I. In § 162.2 *Indemnity payments*, amend paragraph (e) to read as follows:  
§ 162.2 *Indemnity payments.*

(e) *When to be instituted.* Claims for indemnity involving international registered mail, and insured mail for which inquiry concerning disposal has been made, shall be instituted only on instructions from the postmasters at the appropriate adjusting exchange offices shown in § 162.2 (f) of this chapter, except as otherwise specifically provided for in § 161.5 (a) (2) (i) of this chapter for insured mail to Canada.

NOTE: The corresponding Postal Manual section is 272.25.

II. In § 162.2 *Indemnity payments*, as amended by 29 F.R. 8009, amend the ZIP Code of New Orleans, La. in paragraph (f) *Adjusting exchange offices*, to read as follows:

New Orleans, La. 70113

NOTE: The corresponding Postal Manual section is 272.26.

#### In Part 163:

Section 163.2 *Processing*, as amended by 29 F.R. 8009, is amended to read as follows:

#### § 163.2 *Processing.*

Post offices will process applications when the request relates to mail originating in the United States, unless there is reason to believe that the other country is at fault. Forward the application to the International Service Division, Bureau of Transportation and International Services, Post Office Department, Washington, D.C., 20260, when there is

reason to believe that the other country is at fault or when the request relates to mail originating in another country.

NOTE: The corresponding Postal Manual section is 273.2.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

LOUIS J. DOYLE,  
General Counsel.

[F. R. Doc. 65-2408; Filed, Mar. 8, 1965;  
8:47 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 3—Department of Health, Education, and Welfare

#### PART 3-1—GENERAL

#### Subpart 3-1.6—Debarred, Sus- pended, and Ineligible Bidders

Chapter 3 of Title 41 of the Code of Federal Regulations is amended to add Subpart 3-1.6:

Sec.	Scope of subpart.
3-1.600	Establishment and maintenance of a list of concerns or individuals debarred, suspended, or declared ineligible.
3-1.602	3-1.602-1 Bases for entry on the debarred, suspended, and ineligible list.
3-1.603	Treatment to be accorded firms or individuals in debarred, suspended, or ineligible status.
3-1.604	Causes and conditions applicable to determination of a debarment by an executive agency.
3-1.604-1	Procedural requirements relating to the imposition of debarment.
3-1.605	Suspension of bidders.
3-1.605-1	Causes and conditions under which HEW may suspend contractors.
3-1.605-2	Period and scope of suspension.
3-1.605-3	Restrictions during period of suspension.
3-1.605-4	Notice of suspension.
3-1.606	Agency procedure.

AUTHORITY: The provisions of this Subpart 3-1.6 issued under 5 U.S.C. 22; Reorganization Plan No. 1 of 1953 (5 U.S.C. 623 note), and 40 U.S.C. 486(c).

#### § 3-1.600 Scope of subpart.

This subpart prescribes the HEW establishment, use and maintenance of a debarred, suspended, and ineligible bidders list, and procedures for debarring or suspending bidders for cause.

#### § 3-1.602 Establishment and maintenance of a list of concerns or individuals debarred, suspended, or declared ineligible.

(a) The Director of General Services will establish and maintain a consolidated list of concerns and individuals to whom contracts will not be awarded, and from whom bids or proposals will not be solicited, as provided in FPR 1-1.603. This list will be designated as the "Debarred, Suspended, and Ineligible Bidders List."

(c) The "Debarred, Suspended, and Ineligible Bidders List" will be marked "For Official Use Only" to prevent inspection of its contents by other than

Departmental personnel required to have access thereto.

(d) The "Debarred, Suspended, and Ineligible Bidders List" will be kept current by means of revisions.

#### § 3-1.602-1 Bases for entry on the debarred, suspended, and ineligible list.

(d) The Director of General Services, OS-OA, makes the administrative debarment determinations prescribed by FPR 1-1.602-1(d).

(e) The Department Contract Compliance Officer directs that action prescribed by FPR 1-1.602-1(e) be taken.

(f) The Director of General Services, OS-OA, makes the administrative suspension determinations prescribed by FPR 1-1.602-1(f).

(g) The Director of General Services, OS-OA, makes the determinations prescribed in FPR 1-1.602-1(g) regarding failure to comply with the provisions of section 3(a) of the Buy American Act (41 U.S.C. 101(a)).

#### § 3-1.603 Treatment to be accorded firms or individuals in debarred, suspended, or ineligible status.

(a) *Total restrictions.* The Director of General Services, OS-OA, makes the essential public interest determinations required by FPR 1-1.603(a).

(d) *Ineligibility restrictions of the Walsh Healey Act.* At their discretion, contracting officers may solicit bids or proposals and award contracts in the circumstances permitted by FPR 1-1.603 (d).

(f) *Restrictions on subcontracting.* The Director of General Services, OS-OA, makes the determinations required by FPR 1-1.603(f).

#### § 3-1.604 Causes and conditions applicable to determination of debarment by an executive agency.

Any contracting officer may recommend initiation of debarment actions. These recommendations shall be submitted through administrative channels to the Director of General Services, OS-OA. They shall be accompanied by the documented file in the case.

#### § 3-1.604-1 Procedural requirements relating to the imposition of debarment.

(a) *Initiation of debarment action.* The Chief, Procurement and Supply Management Branch, after consultation with the Office of General Counsel, shall determine whether the facts are sufficient to warrant debarment. If the decision is not to debar, the contracting officer recommending the action will be notified. If the Chief, Procurement and Supply Management Branch, decides to institute debarment proceedings, he shall send a letter by certified mail (return receipt requested) to the firm or individual proposed for debarment. The letter shall (1) state that debarment is being considered, (2) set forth the reasons for the proposed debarment, and (3) state that such party will be accorded an opportunity for a hearing if a request for a hearing is received within 30 days from the date of receipt of such letter.

(b) *Hearings.* Hearings requested in connection with debarment proceedings



shall be conducted before the Director, Division of General Services, OS-OA, or his designee, referred to in this HEWPR 3-1.604-1 as the reviewing authority. An opportunity shall be afforded to the firm or individual to appear, with witnesses and counsel, to present facts or circumstances showing cause why such firm or individual should not be debarred. If the firm or individual elects not to appear, the reviewing authority will make its decision based on the facts on record and such additional evidence as may be furnished by the parties involved. After consideration of the facts, the reviewing authority shall notify the firm or individual of the final decision.

### § 3-1.605 Suspension of bidders.

#### § 3-1.605-1 Causes and conditions under which HEW may suspend contractors.

Any HEW contracting officer may recommend suspension of bidders for the causes and conditions set forth, in FPR 1-1.605-1. These recommendations shall be accompanied by the documented file in the case and be submitted through administrative channels to the Director of General Services, OS-OA.

#### § 3-1.605-2 Period and scope of suspension.

The Director of General Services, OS-OA, or his designee, may authorize the suspension of bidders for a period not to exceed 12 months. The Director may extend the suspension for a period not to exceed 6 months upon the request of an Assistant Attorney General.

#### § 3-1.605-3 Restrictions during period of suspension.

The Director of General Services, OS-OA, or his designee, shall determine when award of contracts is to be made to suspended bidders as authorized by FPR 1-1.605-3.

#### § 3-1.605-4 Notice of suspension.

The Director of General Services, OS-OA, or his designee, is responsible for notifying bidders of suspensions as required by FPR 1-1.605-4.

#### § 3-1.606 Agency procedure.

The Director of General Services, OS-OA, is responsible for complying with the provisions of FPR 1-1.606.

These regulations shall become effective on the date they are published in the FEDERAL REGISTER.

Dated: March 3, 1965.

RUFUS E. MILES, Jr.,  
Assistant Secretary  
for Administration.

[F.R. Doc. 65-2411; Filed, Mar. 8, 1965; 8:47 a.m.]

## Chapter 9—Atomic Energy Commission

### PART 9-15—CONTRACT COST PRINCIPLES AND PROCEDURES

#### Special Funds in Construction Industry

The following new section has been added to Subpart 9-15.50—Cost Principles and Procedures.

### § 9-15.5010-17 Special funds in the construction industry.

Costs of special "funds," financed by employer contributions, in the construction industry for such purposes as methods and materials research, public and industry relations, market development, disaster relief, etc., are unallowable except as specifically provided in the contract.

**Effective date.** These regulations shall become effective 45 days following publication in the FEDERAL REGISTER but may be observed earlier.

(Sec. 161 of the Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205 of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Dated at Germantown, Md., this 3d day of March 1965.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,  
Director, Division of Contracts.

[F.R. Doc. 65-2416; Filed, Mar. 8, 1965; 8:48 a.m.]

## Title 46—SHIPPING

### Chapter I—Coast Guard, Department of the Treasury

[CGFR 65-6]

#### BARGES CARRYING BULK DANGEROUS CARGOES

##### Miscellaneous Amendments

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER of January 30, 1964 (29 F.R. 1572-1586), and the Merchant Marine Council Public Hearing Agenda, dated March 23, 1964, a hearing was held for the purpose of receiving comments, views and data. The proposals considered were identified as Items I to XVI, inclusive, and Item I concerned "bulk dangerous cargoes." As stated in a Federal Register document, CGFR 64-19, published in the FEDERAL REGISTER of June 5, 1964 (29 F.R. 7344), I approved the Merchant Marine Council's recommendation permitting an additional 120 days for submittal of written comments concerning those proposals in Item I dealing with labelling or placarding of barges, manning, and qualifications of personnel (Items Ia, Ib, and Id, CG-249, pages 6, 7, 13-15, 18-23). The Merchant Marine Council directed referral of the controversial portions of these proposals to the Chemical Transportation Advisory Panel with a request the Panel work with an ad hoc committee from the Office of Merchant Marine Safety in reviewing the proposals, comments, etc., and to recommend desired changes.

Bulk dangerous cargoes are now subject to many requirements in 46 CFR Part 146 (Dangerous Cargoes). For certain liquid bulk dangerous cargoes, the applicable requirements are in 46 CFR Parts 30 to 40, inclusive (Tank Vessels). For certain specifically named dangerous commodities, the applicable require-

ments are in 46 CFR Part 98 (Cargo and Miscellaneous Vessels). At the informal discussions held with the Chemical Transportation Advisory Panel and others, it was agreed that a completely separate set of regulations for bulk dangerous cargoes is needed and will be developed. In the interim the requirements will be published as heretofore.

Many commented about the use of the obsolete word "inflammable" in the proposals and urged that this word be changed to "flammable" as currently used in the industry. The word "inflammable" is used in the Tank Vessel Act (46 U.S.C. 391a) and the Dangerous Cargo Act (46 U.S.C. 170). Since the regulations prescribed thereunder, 46 CFR 30.10-21 and 146.03-9, define the words "inflammable" and "flammable" as being synonymous, the future amendments to the inspection regulations will use the word "flammable."

The majority of the comments submitted concerned the proposals dealing with placarding, manning, surveillance of barges, and the qualifications of personnel. Further, it was emphasized that distinctions should be made between (1) the usual tank barge currently inspected and certificated under the Tanker Act and carrying commodities having presently recognized flammable or combustible characteristics and (2) those barges carrying bulk cargoes having dangerous characteristics in addition to flammability or combustibility. The proposals in 46 CFR 35.01-50 (a) through (e) and 98.03-35 (a) through (e) (Items Ia and Ib) were not revised and are therefore approved and set forth in this document.

Barges to be subject to the special operating requirements as set forth in this document are those barges carrying one or more of the following bulk cargoes:

1. Flammable liquids having a Reid vapor pressure in excess of 25 pounds per square inch, absolute, in independent tanks (46 CFR Part 32).
2. Liquefied flammable gases (46 CFR Part 38).
3. Certain flammable or combustible liquids having lethal characteristics (Class B or C poisons) (46 CFR Part 39).
4. Certain flammable or combustible dangerous cargoes (46 CFR Part 40).
5. Certain named dangerous cargoes (46 CFR Part 98).

For those barges carrying any of the above described cargoes, which have dangerous characteristics in addition to flammability or combustibility, additional requirements must be also met.

The revised regulations set forth in this document, which were developed as directed by the Merchant Marine Council, will provide for:

- a. Cargo information cards for those bulk cargoes having dangerous characteristics in addition to flammability or combustibility. These cards will pertain to specific chemicals and are to: (1) identify the cargo by name, appearance and odor; (2) describe the hazards involved and instructions for its safe handling, including need for special cargo environments, if any; (3) emergency procedures and precautions to be observed in event of spillage, leaks, uncon-



## SUBCHAPTER D—TANK VESSELS

## PART 31—INSPECTION AND CERTIFICATION

## Subpart 31.15—Manning of Vessels

1. Section 31.15-5 is amended to read as follows:

## § 31.15-5 Tank barges—B/ALL.

(a) Tank barges need not be manned unless in the judgment of the Officer in Charge, Marine Inspection, such manning is necessary for the protection of life and property and for the safe operation of the vessel: *Provided, however*, That towing vessels, while towing barges which are not required to be manned, shall carry in the regular complement of the towing vessel and shall have on board at all times while towing, at least one licensed officer or certificated tankerman.

(b) Where the bulk liquid cargo to be transported is covered by the requirements of § 35.01-55 of this subchapter, the person in charge of the towing vessel or barge shall be provided with, and have on board, the information card required by § 35.01-55.

Subpart 31.15 is amended by inserting after § 31.15-5 a new section reading as follows:

## § 31.15-6 Tank barges carrying bulk cargoes having dangerous characteristics in addition to flammability or combustibility—B/ALL.

(a) For those tank barges carrying a bulk liquid cargo covered by the requirements of § 35.01-55 of this subchapter, at least one member of the crew of the barge required to be manned pursuant to § 31.15-5 shall be especially qualified in the handling of the specific cargo to be carried. The Officer in Charge, Marine Inspection, shall be furnished satisfactory documentary evidence that such person is trained in and capable of performing competently the necessary operations which relate to the carriage and transfer of such cargo.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp.)

## PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

## Subpart 32.63—Hull and Cargo Tank Requirements for Tank Barges Constructed or Converted On or After July 1, 1964, and Carrying Certain Dangerous Bulk Cargoes

Section 32.63-1 is amended to read as follows:

## § 32.63-1 Application—B/ALL.

(a) The requirements of this subpart shall apply to all tank barges, the construction or conversion of which is started on or after July 1, 1964, and carrying bulk cargoes as follows:

(1) Flammable liquids having a Reid vapor pressure in excess of 25 pounds per

square inch, absolute, in independent tanks (Part 32).

(2) Liquefied flammable gases (Part 38 of this subchapter).

(3) Flammable or combustible liquids having lethal characteristics (Class B or C poisons) (Part 39 of this subchapter).

(4) Certain flammable or combustible dangerous cargoes (Part 40 of this subchapter).

(R.S. 4405, as amended, 4417a, as amended, and 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026.)

## PART 35—OPERATIONS

## Subpart 35.01—Special Operating Requirements

1. Subpart 35.01 is amended by inserting after § 35.01-45 new sections reading as follows:

## § 35.01-50 Special operating requirements for tank barges carrying certain dangerous bulk cargoes—B/ALL.

(a) The requirements of this section shall apply to all tank barges carrying bulk cargoes as follows:

(1) Flammable liquids having a Reid vapor pressure in excess of 25 pounds per square inch, absolute, in independent tanks (Part 32 of this subchapter).

(2) Liquefied flammable gases (Part 38 of this subchapter).

(3) Flammable or combustible liquids having lethal characteristics (Class B or C poisons) (Part 39 of this subchapter).

(4) Certain flammable or combustible dangerous cargoes (Part 40 of this subchapter).

(b) All tank barges constructed or modified in conformance with the requirements of Subpart 32.63 of this subchapter are exempt from the provisions of § 35.01-45.

(c) When it is necessary to operate box or square-end barges as lead barges of tows, the person in charge of the towing vessel shall control the speed to insure protection against diving and swamping of such barges, having due regard to their design and freeboard, and to the operating conditions.

(d) All barges, while carrying in bulk any of the cargoes described in paragraph (a) of this section, shall be operated in conformance with the provisions of this section. However, the provisions of this section are not applicable to such barges when empty and gas-freed.

(e) Barges shall not be moved from a loading facility unless all bilges and void spaces (except those used for ballasting) are substantially free of water. Periodic inspections and necessary pumping shall be carried out to insure maintenance of such water-free condition in order to minimize the free surface effects, both in the longitudinal and transverse directions. Except when

trolled release into waterway or atmosphere, exposure of personnel to toxic cargoes (if any), and equipment or machinery breakdown; and (4) firefighting procedures and precautions to be observed in event of a fire nearby or on the barge itself, and an enumeration of firefighting media suitable for use in case of a cargo fire.

b. Require these cargo information cards be readily available for use by responsible personnel (1) aboard a vessel towing unmanned barges containing described dangerous cargoes; and (2) attending moored, unmanned barges that are not gas free. These cards are to be furnished by the barge owners and for certain cargoes by the shippers and the barge owners.

c. Where the bulk cargoes have dangerous characteristics in addition to flammability or combustibility, it will be the responsibility of industry to furnish the Officer in Charge, Marine Inspection, satisfactory documentary evidence concerning the training, qualifications and competence of those persons who perform or supervise the cargo transfer operations, or may be required during the transportation of such cargoes.

d. The barges carrying bulk cargoes having dangerous characteristics in addition to flammability or combustibility will be required to display appropriate warning signs (in lieu of placarding) describing the danger, precautions to be observed, categories of hazards, and identification of the cargoes by name.

e. The rejection of the proposals designated 46 CFR 12.20-1, 30.10-71, 31.15-1, 90.10-41, and 157.10-80 in Item Id regarding qualifications of personnel, and place desired requirements with changes described above.

The proposals in Item I which have been revised and changes necessary to accomplish the above described actions are set forth as amendments or new regulations designated 46 CFR 31.15-5, 31.15-6, 32.63-1, 35.01-50 (f), (g), 35.01-55, 35.30-1 (d), (e), 35.35-1, 40.05-86, 90.10-12, 98.03-1(b), 98.03-35 (f), (g), 98.03-40, and 98.03-45. The proposals in Item I as revised are approved.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by section 632 of Title 14, U.S. Code, and Treasury Department Order 120, dated July 31, 1950 (15 F.R. 6521), and other laws specifically listed with the regulations below, the following actions are ordered:

1. The vessel inspection regulations shall be amended in accordance with the changes in this document.

2. The regulations or amendments thereto in this document shall be effective on and after September 1, 1965.

3. The regulations in this document may be compiled with during the interim period prior to September 1, 1965, in lieu of existing requirements; however, the new or revised requirements shall be met no later than September 1, 1965, and shall be followed thereafter until amended or canceled by proper authority.



otherwise considered necessary for inspection or pumping, all hatch covers and other hull closure devices for void spaces and hull compartments other than cargo spaces shall be closed and secured at all times.

(f) During the time the cargo tanks contain dangerous cargoes described in paragraph (a) of this section in any amount, in the liquid or gaseous state, the barge shall be under constant surveillance.

(1) A strict watch of each unmanned barge in tow shall be maintained from the towing vessel while underway.

(2) A towing vessel engaged in transporting such unmanned barges shall not leave them unattended. When a barge is moored, but not gas free, it shall be under the observation of a watchman who may be a member of the complement of the towing vessel, or a terminal employee, or other person. Such person shall be responsible for the security of the barge and for keeping unauthorized persons off the barge. Such person shall be provided with, read, and have in his possession for ready reference the information cards required by § 35.01-55.

(g) The owner, operator, master, or person in charge of any barge carrying dangerous cargoes described in paragraph (a) of this section shall insure that, while the barge is being towed and during cargo transfer operations, the persons as required by § 31.15-5 of this subchapter and § 35.35-1 and information cards as required by § 35.01-55 are provided.

§ 35.01-55 Warning signs and information cards for those barges carrying bulk cargoes having dangerous characteristics in addition to flammability or combustibility—B/ALL.

(a) The requirements of this section shall apply to all tank barges carrying bulk cargoes as follows:

(1) Liquefied flammable gases having significant hazards other than flammability (Part 38 of this subchapter).

(2) Flammable or combustible liquids having lethal characteristics (Class B or C poisons) (Part 39 of this subchapter).

(3) Certain flammable or combustible dangerous cargoes (Part 40 of this subchapter).

(b) Warning signs shall be displayed on the vessel, port and starboard, facing outboard without obstructions, at all times except when the vessel is gas free. The warning sign shall be rectangular and a minimum of three feet wide and two feet high. It shall be of sufficient size to accommodate the required alerting information, which shall be in black block style letters and numerals (characters) at least three inches high on a white background. The minimum spacing between adjacent words and lines of characters shall be two inches. The minimum spacing between adjacent characters shall be one-half inch. All characters shall have a minimum stroke width of one-half inch and shall be a minimum of two inches wide, except for the letters "M" and "W" which shall be a minimum of three inches wide, and except for the letter "I" and the numeral "1", which may be one-half inch wide. The signs shall have a two-inch minimum white border clear of characters.

The signs shall be maintained legible. The alerting information shall include the following:

(1) Danger.

(2) Categories of hazards: (This shall be as listed in the classification column in § 146.04-5 in Subchapter N (Dangerous Cargoes) of this chapter, and additional descriptive terms, as applicable).

(3) Cargo identification by name: (This name shall be as listed in § 146.04-5 in Subchapter N (Dangerous Cargoes) of this chapter. If not specifically listed by name, the common chemical name as shown on the information card shall be used).

(4) Prohibitions: (Necessary prohibitions, such as "No Smoking," etc.).

(c) An information card for each cargo being transported shall be carried on the bridge or in the pilothouse of the towing vessel readily available for use by the person in charge of the watch. Such information card shall also be carried aboard the barge when it is not gas free. The minimum card size shall be 7" by 9½". The card shall have legible printing on one side only. The following data shall be listed:

(1) *Cargo identification characteristics.* Identification of the cargo as listed in § 146.04-5 in Subchapter N (Dangerous Cargoes) of this chapter and its common chemical name if the chemical name is not so specifically listed, its appearance and odor. A statement of the hazards involved and instructions for the safe handling of the cargo and, as applicable, the need for special cargo environments.

(2) *Emergency procedures.* Precautions to be observed in the event of spills, leaks, or equipment or machinery breakdown and/or uncontrolled release of the cargo into the waterway or atmosphere. Precautions to be observed in the event of exposure of personnel to toxic cargoes.

(3) *Firefighting procedures.* Precautions to be observed in the event of a fire occurring on or in the vicinity of the barge, and an enumeration of firefighting media suitable for use in case of a cargo fire.

(d) In the event that a barge is or has been loaded with two or more dangerous cargoes described in paragraph (a) of this section and until the tanks containing such cargoes have been gas freed, the following additional requirements shall be met:

(1) A warning sign, meeting the requirements of paragraph (b) of this section and setting forth the alerting information required by paragraphs (b) (1) and (4) of this section, shall be located amidships.

(2) The warning signs, meeting the requirements of paragraph (b) of this section and setting forth the alerting information required by paragraphs (b) (2) and (3) of this section, shall be so located that each sign positively identifies the contents of each tank.

(3) An information card for each cargo (see paragraph (c) of this section) shall be carried for ready reference aboard the barge.

2. Section 35.01-45(a) is amended to read as follows:

§ 35.01-45 Open hopper type barges—B/ALL.

(a) With the exception of those open hopper type barges constructed or modified in conformance with the requirements of Subpart 32.63 of this subchapter, the special operating conditions in this section apply to all other open hopper type barges carrying bulk cargoes as follows:

(1) Flammable liquids having a Reid vapor pressure in excess of 25 pounds per square inch, absolute, in independent tanks (Part 32 of this subchapter).

(2) Liquefied flammable gases (Part 38 of this subchapter).

(3) Flammable or combustible liquids having lethal characteristics (Class B or C poisons) (Part 39 of this subchapter).

Subpart 35.30—General Safety Rules

2a. Section 35.30-1 is amended by adding new paragraphs (d) and (e) reading as follows:

§ 35.30-1 Warning signals and signs—TB/ALL.

(d) Additional warning signs required by cargoes having significant hazards other than flammability or combustibility are described in § 35.01-55.

(e) Additional placards or signs required in connection with the movement of certain open hopper type barges are described in § 35.01-45.

Subpart 35.35—Cargo Handling

2b. Section 35.35-1 is amended to read as follows:

§ 35.35-1 Men on duty—TB/ALL.

(a) A sufficient number of the crew shall be on duty to perform cargo transfer operations.

(b) In the case of unmanned barges, the owners, masters or persons in charge of such barges shall insure that a person holding a valid license as master, mate, pilot, or engineer, or a certificated tankerman is on duty to perform transfer operations, which licensed person or certificated tankerman shall be considered as the person in charge of the unmanned tank barge. Where the bulk liquid cargo to be transferred is covered by the requirements of § 35.01-55, the Officer in Charge, Marine Inspection, shall be furnished satisfactory documentary evidence that such person is trained in, and capable of performing competently, the necessary operations which relate to the transfer of such cargo.

(R.S. 4405, as amended, 4417a, as amended, and 4462, as amended; 46 U.S.C. 378, 391a, 416. Interpret or apply sec. 2, 68 Stat. 675; 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026)

PART 40—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR CARRYING CERTAIN INFLAMMABLE OR COMBUSTIBLE DANGEROUS CARGOES IN BULK

Subpart 40.05—Ethylene Oxide

§ 40.05-86 [Deleted]

Section 40.05-86 Placarding—B/ALL is canceled. (These requirements are superseded by those in § 35.01-55.)



(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416)

# SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

## PART 90—GENERAL PROVISIONS

### Subpart 90.10—Definition of Terms Used in This Subchapter

Subpart 90.10 is amended by inserting after § 90.10-11 a new section reading as follows:

#### § 90.10-12 Gas free.

This term means free from dangerous concentrations of flammable or toxic gases.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 170, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp.; Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026)

## PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK

### Subpart 98.03—Barges Carrying Dangerous Cargoes

1. Section 98.03-1 as amended by adding a new paragraph (b) reading as follows:

#### § 98.03-1 Application.

(b) Barges which are built or converted to conform to the requirements of §§ 98.03-7, 98.03-8, 98.03-15, 98.03-20, 98.03-25 and 98.03-30 will be exempt from compliance with the requirements of § 98.03-10.

2. Subpart 98.03 is amended by adding after § 98.03-30 new §§ 98.03-35, 98.03-40, and 98.03-45, reading as follows:

#### § 98.03-35 Special operating requirements for barges carrying certain dangerous cargoes in bulk.

(a) The requirements of this section shall apply to all barges carrying in bulk any of the dangerous cargoes specifically noted in this part.

(b) All barges constructed or modified in conformance with the requirements of this subpart are exempt from the provisions of § 98.03-10.

(c) When it is necessary to operate box or square-end barges as lead barges of tows, the person in charge of the towing vessel shall control the speed to insure protection against diving and swamping of such barges, having due regard to their design and freeboard, and to the operating conditions.

(d) All barges, while carrying in bulk any of the dangerous cargoes specifically noted in this part, shall be operated in conformance with the provisions of this section. However, the provisions of this section are not applicable to such barges when empty and gas-free.

(e) Barges shall not be moved from a loading facility unless all bilges and void spaces (except those used for bal-

lasting) are substantially free of water. Periodic inspections and necessary pumping shall be carried out to insure maintenance of such water-free condition in order to minimize the free surface effects, both in longitudinal and transverse directions. Except when otherwise considered necessary for inspection or pumping, all hatch covers and other hull closure devices for void spaces and hull compartments other than cargo spaces shall be closed and secured at all times.

(f) (1) Warning signs shall be displayed on the vessel, port and starboard, facing outboard without obstructions, at all times except when the vessel is gas free. The warning sign shall be rectangular and a minimum of three feet wide and two feet high. It shall be of sufficient size to accommodate the required alerting information, which shall be shown in black block style letters and numerals (characters) at least three inches high on a white background. The minimum spacing between adjacent words and lines of characters shall be two inches. The minimum spacing between adjacent characters shall be one-half inch. All characters shall have a minimum stroke width of one-half inch and shall be a minimum of two inches wide, except for the letters "M" and "W" which shall be a minimum of three inches wide, and except for the letter "I" and the numeral "1" which may be one-half inch wide. The signs shall have a two-inch minimum white border clear of characters. The signs shall be maintained legible. The alerting information shall include the following:

(i) Danger.

(ii) Categories of hazards: (This shall be as listed in the classification column in § 146.04-5, in Subchapter N (Dangerous Cargoes) of this chapter, and additional descriptive terms, as applicable).

(iii) Cargo identification by name: (This name shall be as listed in § 146.04-5 in Subchapter N (Dangerous Cargoes) of this chapter. If not specifically listed by name, the common chemical name as shown on the information card shall be used.)

(iv) Prohibitions: (Necessary prohibitions, such as "No Smoking," etc.).

(2) An information card for each cargo being transported shall be carried on the bridge or in the pilot house of the towing vessel readily available for use by the person in charge of the watch. Such information card shall also be carried aboard the barge when it is not gas free. The minimum card size shall be 7" by 9½". The card shall have legible printing on one side only. The following data shall be listed:

(i) *Cargo identification and characteristics.* Identification of the cargo as listed in § 146.04-5 in Subchapter N (Dangerous Cargoes) of this chapter and its common chemical name if the chemical name is not so specifically listed, its appearance and odor. A statement of the hazards involved and instructions for the safe handling of the cargo and, as applicable, the need for special cargo environments.

(ii) *Emergency procedures.* Precautions to be observed in the event of spills,

leaks, or equipment of machinery breakdown and/or uncontrolled release of the cargo into the waterway or atmosphere. Precautions to be observed in the event of exposure of personnel to toxic cargoes.

(iii) *Firefighting procedures.* Precautions to be observed in the event of a fire occurring on or in the vicinity of the barge, and an enumeration of firefighting media suitable for use in case of a cargo fire.

(3) In the event that a barge is or has been loaded with two or more dangerous cargoes and until the tanks containing such cargoes have been gas freed, the following additional requirements shall be met:

(i) A warning sign, meeting the requirements of subparagraph (1) of this paragraph and setting forth the alerting information required by subparagraph (1) (i) and (iv) of this paragraph, shall be located amidships.

(ii) The warning signs for each cargo meeting the requirements of subparagraph (1) of this paragraph and setting forth the alerting information required by subparagraph (1) (ii) and (iii) of this paragraph shall be so located that each sign positively identifies the contents of each tank.

(iii) An information card for each cargo (see subparagraph (2) of this paragraph) shall be carried for ready reference aboard the barge.

(g) During the time the cargo tanks contain dangerous cargoes subject to the provisions of this subpart in any amount, in the liquid or gaseous state, the barge shall be under constant surveillance.

(1) A strict watch of each unmanned barge in tow shall be maintained from the towing vessel while underway.

(2) A towing vessel engaged in transporting such unmanned barges shall not leave them unattended. When a barge is moored, but not gas free, it shall be under the observation of a watchman who may be a member of the complement of the towing vessel, or a terminal employee, or other person. Such a person shall be responsible for the security of the barge and for keeping unauthorized persons off the barge. Such person shall be provided with, read, and have in his possession for ready reference the information cards required by paragraph (f) (2) of this section.

#### § 98.03-40 Manning of barges carrying dangerous cargoes in bulk.

(a) Except as provided for in this section, barges need not be manned unless in the judgment of the Officer in Charge, Marine Inspection, such manning is necessary for the protection of life and property and for the safe operation of the vessel: *Provided, however,* That towing vessels, while towing barges which are not required to be manned, shall be provided with and have on board the information card required by § 98.03-35, which card shall be in the possession of the master or person in charge.

(b) At least one member of the crew of barges required to be manned pursuant to paragraph (a) of this section shall be especially qualified in the handling of the specific cargo to be carried.



The Officer in Charge, Marine Inspection, shall be furnished satisfactory documentary evidence that such person is trained in, and capable of performing competently, the necessary operations which relate to the carriage and transfer of such cargo.

#### § 98.03-45 Cargo handling.

(a) A sufficient number of persons shall be on duty to perform cargo transfer operations. A person especially qualified in the handling of the specific cargo to be transferred shall be on duty to perform or supervise cargo transfer operations, which person shall be considered to be in charge of such operations. The Officer in Charge, Marine Inspection, shall be furnished satisfactory documentary evidence that such person is trained in, and capable of performing competently, the necessary operations which relate to the transfer of such cargo.

(b) The shipper and the owner, charterer, agent, master, or person in charge of any barge carrying dangerous cargoes subject to the provisions of this subpart, shall insure that the requirements of this section and § 98.03-40 are complied with.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4417a, as amended, 4472, as amended, sec. 3, 68 Stat. 875; 46 U.S.C. 391a, 170, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026)

Dated: March 3, 1965.

[SEAL]

E. J. ROLAND,  
Admiral, U.S. Coast Guard  
Commandant.

[F.R. Doc. 65-2415; Filed, Mar. 8, 1965;  
8:48 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[FCC 65-159]

#### PART 0—COMMISSION ORGANIZATION

#### PART 1—PRACTICE AND PROCEDURE

##### Delegation of Authority and Designation for Hearing

Order. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the third day of March 1965;

The Commission having under consideration § 0.371 of its rules and regulations, concerning delegations of authority to the Chief, Office of Opinions and Review; and § 1.973(d), concerning the filing of petitions for intervention in Safety and Special Radio Services hearing proceedings; and

It appearing, that circumstances occur from time to time in hearing proceedings pending before the Commission en banc which render a previously filed pleading moot; that such pleadings should be dismissed, so that the record may show their disposition and any doubt as to their status may be resolved; that action on such pleadings in these

circumstances is a purely ministerial function; and, therefore, that authority to act upon such pleadings should be delegated to the Chief, Office of Opinions and Review; and

It further appearing, that § 1.973(d) of the rules and regulations should be conformed with section 309(e) of the Communications Act, which provides for the filing of petitions to intervene not more than 30 days after the publication in the FEDERAL REGISTER of the hearing issues or of any substantial amendment thereto; and

It further appearing, that authority for the amendments adopted herein is contained in sections 4 (i) and (j), 5(d), 303(r) and 309(e) of the Communications Act of 1934, as amended; and

It further appearing, that the amendments adopted herein are procedural in nature and pertain to internal delegations of authority, and hence that the notice and effective date provisions of section 4 of the Administrative Procedure Act are inapplicable:

It is ordered, Effective March 10, 1965, that Parts 0 and 1 of the rules and regulations are amended as set forth below. (Secs. 4, 5, 303, 309, 48 Stat. 1066, 1068, 1082, 1085, as amended; 47 U.S.C. 154, 155, 303, 309)

Released: March 4, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

1. Section 0.371(a) is amended to read as follows:

#### § 0.371 Authority delegated.

(a) The Chief, Office of Opinions and Review, is delegated authority to act upon the following matters in hearing proceedings which are pending before the Commission en banc:

- (1) Uncontested motions or petitions for extension of time.
- (2) Pleadings which are moot.

2. Section 1.973(d) is amended to read as follows:

#### § 1.973 Designation for hearing.

(d) Parties in interest, if any, who are not notified by the Commission of its action in designating a particular application for hearing may acquire the status of a party to the proceeding by filing a petition for intervention showing the basis of their interest not more than 30 days after publication in the FEDERAL REGISTER of the hearing issues or any substantial amendment thereto.

[F.R. Doc. 65-2424; Filed, Mar. 8, 1965;  
8:49 a.m.]

[FCC 65-158]

#### PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

##### Reports of Proposed Changes in Depreciation Rates

Order. In the matter of amendment of § 43.43(e) of Part 43 (Reports of Communication Common Carriers and Cer-

tain Affiliates) of the Commission's rules to modify the provision regarding retroactivity in effective date of changes in depreciation rates.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the third day of March 1965;

The Commission having under consideration the desirability of modifying the provision in paragraph (e) of § 43.43, Reports of Proposed Changes in Depreciation Rates, of Part 43 of the Commission's rules that changes in depreciation rates may be made effective retroactively to a date not more than 6 months prior to the date of filing the proposed changes with the Commission;

It appearing, that there have been frequent waivers of this provision in order that prescribed changes in depreciation rates may be made effective retroactively to the beginning of the calendar year; and

It further appearing, that normally the most recently determined depreciation rates would be appropriate for the entire year and that deletion of the retroactivity provision referred to will allow this result without Rules waivers, which are undesirable when repeated on a routine basis; and

It further appearing, that compliance with the public notice and rule making procedures of section 4 of the Administrative Procedure Act is inappropriate and unnecessary; and

It further appearing, that the amendment adopted herein is issued pursuant to authority contained in sections 4(i) and 220 of the Communications Act of 1934, as amended;

It is ordered, That effective July 1, 1965, § 43.43(e) of Part 43 (Reports of Communication Common Carriers and Certain Affiliates) of the Commission's rules is amended, by deleting "not more than six (6) months prior to the date of filing, but," to read as follows:

#### § 43.43 Reports of proposed changes in depreciation rates.

(e) Unless otherwise directed or approved by the Commission, the following shall be observed: Proposed changes in depreciation rates shall be filed at least ninety (90) days prior to the last day of the month with respect to which the revised rates are first to be applied in the accounts (e.g., if the new rates are to be first applied in the depreciation accounts for September, they must be filed on or before July 1); and such rates may be made retroactive to a date not prior to the beginning of the year in which the filing is made: *Provided, however*, That in no event shall a carrier for which the Commission has prescribed depreciation rates make any changes in such rates unless the changes are prescribed by the Commission.

(Secs. 4, 220, 48 Stat. 1066, as amended, 1078; 47 U.S.C. 154, 220)

Released: March 4, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-2425; Filed, Mar. 8, 1965;  
8:49 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

[7 CFR Parts 1031, 1032, 1038, 1039, 1051, 1062, 1063, 1067, 1070, 1078, 1079]

### MILK IN CERTAIN MARKETING AREAS

#### Notice of Proposed Determination of Equivalent Price for Use in Computing Prices for Class I Milk

Milk in Northwestern Indiana; Suburban St. Louis; Rock River Valley; Milwaukee, Wis.; Madison, Wis.; St. Louis, Mo.; Quad Cities-Dubuque; Ozarks; Cedar Rapids-Iowa City; North Central Iowa and Des Moines, Iowa, marketing areas.

Notice is hereby given that pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and to the applicable provisions of the orders, as amended, regulating the handling of milk in the aforesaid milk marketing areas (7 CFR Part 900) hereinafter referred to as the "orders", a proposed determination of equivalent price for use in computing prices for Class I milk in each of the orders is being considered. The equivalent pricing factor is the supply-demand ratio computed pursuant to § 1030.51 of the Chicago milk order.

(1) Inasmuch as an order terminating the Chicago, Ill., milk order effective midnight, March 31, 1965, has been issued, and the Class I prices of the aforesaid orders are based in part upon a pricing factor determined under the Chicago order, it becomes necessary to consider determination of an equivalent pricing factor for use in computing Class I prices for the aforesaid orders in the absence of pricing factors no longer available as of April 1, 1965, under the Chicago order.

(2) A determination of an equivalent price is necessary to make possible the announcement of the Class I milk price for each of the aforesaid orders for the month of April 1965 and for each consecutive month thereafter until the orders are amended to provide otherwise for a Class I milk price.

(3) Each of the aforesaid orders provide for the determination of an equivalent price in §§ 1031.55, 1032.54, 1038.54, 1039.54, 1051.54, 1062.54, 1063.53, 1067.54, 1070.53, 1078.53, and 1079.53, respectively.

All persons who desire to submit written views, data or arguments in connection with the proposed determination of equivalent price for use in computing the prices for Class I milk in each or all of the aforesaid orders should file the same with the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, not later than 7 days from the date of publication of this notice in

the FEDERAL REGISTER. All documents filed should be in duplicate.

All written submissions pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., on March 3, 1965.

CLARENCE H. GIRARD,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 65-2395; Filed, Mar. 8, 1965; 8:46 a.m.]

## FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 6509]

### AIRWORTHINESS DIRECTIVES

#### Continental Model IO-470 Series Engines

The Federal Aviation Agency has under consideration a proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive for Continental Model IO-470 Series engines. Serious damage to pistons, rings and other engine structural components has been caused by excessively advanced magneto timing. Recent experiences in field service and engine development programs indicate that the engine life can be extended by a change in magneto timing. Therefore, this AD requires a reduction in magneto timing from 24 degrees B.T.C. to 20 degrees B.T.C.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before April 8, 1965, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 (14 CFR Part 39), by adding the following airworthiness directive:

CONTINENTAL. Applies to Model IO-470-D, Serial Numbers 104029 through 104031, 104026, 104022 and below; Model IO-470-E, Serial Number 78894 and below; Model IO-470-F, Serial Numbers 76622, 76621, 76617 and below; Model IO-470-H, Serial Number 87138 and below; Model IO-470-L, Serial Numbers 90688 through 90698, 90686 and below; Model IO-470-M, Serial Number 93153, and below; Model IO-470-N, Serial Numbers 95495, 95492, 95490 and below; and Model IO-470-S, Serial Numbers 1022274, 1022273, 1022267, 1022263 and below.

Compliance required within 100 hours' time in service after the effective date of this AD, unless previously accomplished.

To reduce serious damage to pistons, rings and other engine structural components caused by excessively advanced magneto timing, accomplish the following:

(a) Time both magnetos to 20 degrees B.T.C. following manufacturer's instructions.

(b) Remove existing timing specification from engine nameplate and stamp or etch "20°" in this location.

(Continental Motors Corporation Service Bulletin M62-9, covers this same subject.)

Issued in Washington, D.C., on March 3, 1965.

C. W. WALKER,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 65-2401; Filed, Mar. 8, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-EA-5]

### FEDERAL AIRWAY

#### Proposed Revocation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke VOR Federal airway No. 261.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.



V-261 coincides with VOR Federal airway No. 59 between Pulaski, Va., and Beckley, W. Va. The latest IFR peak-day traffic survey shows no aircraft movements on V-261. Accordingly, this airway no longer can be justified as an assignment of airspace.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 2, 1965.

DANIEL E. BARROW,  
Chief, Airspace Regulations  
and Procedures Division.

[P.R. Doc. 65-2402; Filed, Mar. 8, 1965;  
8:46 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-WA-12]

#### FEDERAL AIRWAY

##### Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a VOR Federal airway from Louisville, Ky., direct to London, Ky.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in the notice may be changed in the light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments.

The proposed Federal airway would provide a connecting airway between Louisville and London which are certified permanent air-carrier stops.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 2, 1965.

DANIEL E. BARROW,  
Chief, Airspace Regulations  
and Procedures Division.

[P.R. Doc. 65-2403; Filed, Mar. 8, 1965;  
8:46 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 65-CE-11]

#### VOR FEDERAL AIRWAY AND REPORTING POINT

##### Proposed Revocation and Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would revoke VOR Federal airway No. 124 and

alter the Shelbyville, Ind. domestic low altitude reporting point.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

V-124, presently designated between Terre Haute, Ind. and Shelbyville, is no longer required for air traffic control purposes. In consonance with this proposal, V-124 would be deleted from the Shelbyville domestic low altitude reporting point.

In airspace docket No. 63-CE-133, the V-12 south alternate was revoked. However, this airspace action inadvertently failed to delete V-12S from the text of the Shelbyville low altitude reporting point and it is proposed, herein, to accomplish that deletion.

These amendments are made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 2, 1965.

DANIEL E. BARROW,  
Chief, Airspace Regulations  
and Procedures Division.

[P.R. Doc. 65-2404; Filed, Mar. 8, 1965;  
8:46 a.m.]

#### [ 14 CFR Part 75 ]

[Airspace Docket No. 65-WA-15]

#### JET ROUTE

##### Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a jet route from Oakland, Calif., via Jet route No. 80 to Willson Creek, Nev.; Hanksville, Utah; Gunnison, Colo.; thence via Jet Route No. 10 to Denver, Colo.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received within 45 days after publication of this notice in the FEDERAL

REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in the notice may be changed in the light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments.

Scheduled air carrier aircraft between Oakland, Calif. and Denver, Colo., normally operate via J-80. Designation of the jet route, as proposed above, would relieve air traffic congestion over Grand Junction, Colo., and would provide an alternate routing in the event unfavorable meteorological conditions exist on the regular route.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 2, 1965.

DANIEL E. BARROW,  
Chief, Airspace Regulations  
and Procedures Division.

[P.R. Doc. 65-2405; Filed, Mar. 8, 1965;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

[ 49 CFR Parts 71-78 ]

[No. 3666; Ex Parte MC 13, Amended]

### EXPLOSIVES AND OTHER DANGEROUS COMMODITIES

#### Proposed Transportation of Nitromethane

Upon consideration of statements of views, arguments and suggestions received from The New York Central Railroad Co., et al., in response to a notice of proposed rule making entered on December 29, 1964, advising that the Commission has under consideration amendment of the order of September 10, 1958 to permit the transportation of "Nitromethane Mixture, Stabilized" in bulk, in railroad tank cars and in tank motor vehicles when approved for transportation by the Bureau of Explosives and it appearing that the assignment of this matter for oral hearing is necessary and is desirable to give all interested parties an opportunity to present evidence and to cross-examine witnesses;

It is ordered, That this proceeding be assigned for hearing at such time and place as hereinafter may be designated;

It is further ordered, That the Bureau of Inquiry and Compliance, Interstate Commerce Commission, is authorized and directed to participate in this proceeding and to introduce such evidence as may be pertinent to a proper consideration of the issues.

Dated at Washington, D.C., this 23d day of February A.D. 1965.

By the Commission, Commissioner Tuggle.

[SEAL]

BERTHA F. ARMES,  
Acting Secretary.

[P.R. Doc. 65-2359; Filed, Mar. 8, 1965;  
8:45 a.m.]



## [ 49 CFR Part 91 ]

[Ex Parte 243]

## LOCOMOTIVES OTHER THAN STEAM

## Inspection

It appearing, that by an order entered July 27, 1964, notice was given of the Commission's proposal to consider the amendment, cancellation and addition of certain Rules and Instructions for Inspection and Testing of Locomotives Other Than Steam (49 CFR 91.200-91.337) included in a petition of the Association of American Railroads filed May 28, 1964; and

It further appearing, that a prehearing conference is desired to discuss informally the general character and factual matters to be developed upon the record at a subsequent hearing and how such matters may best be shown, and good cause appearing therefor:

*It is ordered*, That this proceeding be, and the same is hereby, assigned for pre-

hearing conference before Examiner Henry J. Vinskey, at 9:30 a.m., U.S. standard time, on March 24, 1965, at the office of the Interstate Commerce Commission in Washington, D.C.

Matters to be discussed at the conference:

1. The order in which and the character of evidence for presentation with a subsequent formal hearing.

2. When the parties will be ready for hearing and the date and place of such hearing.

3. Distribution to the parties of proposed exhibits.

4. Consideration of any stipulation that may be agreed upon for the purpose of shortening the proceeding.

5. Simplification of issues.

6. Any other matters as specified in Rule 1.68 of the general rules of practice.

*It is further ordered*, That any interested party unable to attend the prehearing conference may file with the Commission at its office in Washington,

D.C., not later than five (5) days before the date set for the conference, informal written communications which are appropriate for consideration at such conference, furnishing 10 copies for use of the Commission and 60 copies for use of other parties and interested persons.

*And it is further ordered*, That the Bureau of Safety and Service, Interstate Commerce Commission, is authorized and directed to participate in this prehearing conference and subsequent hearings and to introduce such data, views, arguments or other evidence as may be pertinent to a proper consideration of the issues.

Dated at Washington, D.C., this 18th day of February A.D. 1965.

By the Commission, Commissioner Tuggle.

[SEAL]

BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-2360; Filed, Mar. 6, 1965; 8:45 a.m.]



# Notices

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### MICHIGAN

#### Notice of Proposed Withdrawal and Reservation of Land

MARCH 3, 1965.

The Forest Service, Department of Agriculture, has filed application BLM 080563 for the withdrawal of the lands described below, for addition to the Manistee National Forest, Mich.

The land is within the exterior boundaries of the Manistee National Forest, and was conveyed to the United States in exchange for other lands which have now been patented to the State of Michigan. The exchange was made pursuant to the Federal/state program to consolidate state conservation areas and National Forest lands.

For a period of 30 days from the date of publication of this notice all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Eastern States Office, Bureau of Land Management, Department of the Interior, Washington, D.C., 20240.

The Department's regulations, 43 CFR 2311.1-3(c) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

#### MICHIGAN MERIDIAN, MICH.

- T. 12 N., R. 11 W., Newaygo County.  
Sec. 7, NE $\frac{1}{4}$ NW fractional quarter except part of S $\frac{1}{2}$ NE $\frac{1}{4}$ NW fractional quarter beginning at a point 1198 ft. south and 988 ft. west of northeast corner of NW $\frac{1}{4}$ , westerly 85 ft. to a point on east line of Hammond Street, continuing westerly 20 ft., southerly 118 ft., easterly 105 ft., northerly 33 ft. to a point on north line of Hubbel Avenue, thence continuing northerly 85 ft. to beginning, and except a strip of land 100 ft. wide of east side of NE $\frac{1}{4}$ NW fractional quarter.
- T. 18 N., R. 12 W., Lake County.  
Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 23 N., R. 13 W., Wexford County.  
Sec. 30, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 34, Village of Yuma—Parcel commencing on west side of Ann Arbor Railroad right-of-way on one-quarter line running east and west through sec., thence west 33 $\frac{1}{2}$  rods, north 12 rods, east to Ann Arbor Railroad right-of-way south to beginning.
- T. 14 N., R. 13 W., Newaygo County.  
Sec. 13, commencing at southeast corner of sec. The land in caption starts at a point 700 ft. west along south line of sec., thence north 700 ft., west 300 ft., south 700 ft., east 300 ft. to beginning (SE $\frac{1}{4}$ SE $\frac{1}{4}$ )—and commencing at the southeast corner of sec. and running north  $\frac{1}{4}$ ° east along the townline 1350 ft., thence west 2 $\frac{1}{2}$ ° north 705 ft. being point of beginning, thence west 2 $\frac{1}{2}$ ° north 320 ft., south 690 ft., east 320 ft., north 680 ft. to point of beginning (SE $\frac{1}{4}$ SE $\frac{1}{4}$ );  
Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$  except that part lying west of established road as now surveyed across the easterly side of SE $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 17 N., R. 13 W., Lake County.  
Sec. 8, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 29, W $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 18 N., R. 13 W., Lake County.  
Sec. 19, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; except a strip 15 ft. wide on west line for highway, N $\frac{1}{4}$ NW $\frac{1}{4}$  fractional quarter except east 1980 ft., N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$  except east 1320 ft., N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ NW fractional quarter except east 1980 ft., of S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ NW fractional quarter, S $\frac{1}{2}$ N $\frac{1}{2}$ NW fractional quarter except east 1980 ft.
- T. 19 N., R. 13 W., Lake County.  
Sec. 17, Supervisor's Plat of Peacock: Lots 39 to 42, inclusive; 44 to 51, inclusive; 53 to 58, inclusive.
- T. 17 N., R. 14 W., Lake County.  
Sec. 21, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 23, west 32 rods of SE $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 20 N., R. 15 W., Mason County.  
Sec. 34, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 13 N., R. 16 W., Oceana County.  
Sec. 19, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 28, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The areas described aggregate 314.33 acres.

DORIS A. KOIVULA,  
Manager, Land Office.

[F.R. Doc. 65-2387; Filed, Mar. 8, 1965; 8:45 a.m.]

#### ALASKA

#### Notice of Proposed Withdrawal and Reservation of Lands

MARCH 2, 1965.

The Department of the Army has filed an application, Serial Number Fairbanks 033657, for withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, grazing laws, and disposal of materials under the Material Act of 1947, as amended. The applicant desires the land for establishment of a river boat landing site.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of the Army.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

U.S. Survey 1483, Alaska, situated on the south bank of the Tanana River in Section 8, Township 9 South, Range 10 East, Fairbanks Meridian.

This area described aggregates 3.39 acres.

ROSS A. YOUNGBLOOD,  
Manager, Fairbanks District  
and Land Office.

[F.R. Doc. 65-2422; Filed, Mar. 8, 1965; 8:49 a.m.]



## ALASKA

## Notice of Proposed Amendment of Executive Order

MARCH 2, 1965.

The Bureau of Indian Affairs has filed a request for amendment of the Executive Order of May 1, 1907 (Fairbanks 031011), which withdrew the lands described below for school purposes. The proposed amendment would conform the original metes and bounds description to the survey.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska.

The authorized officer of the Bureau of Land Management will prepare a report for consideration by the Secretary of the Interior who will determine whether or not the withdrawal will be amended as requested by the Bureau of Indian Affairs.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

## BARROW, ALASKA

Block 19, U.S. Survey 4615, Alaska located in the townsite of Barrow, Alaska.

The area described aggregates 122,004 square feet.

ROSS A. YOUNGBLOOD,  
Manager, Fairbanks District  
and Land Office.

[P.R. Doc. 65-2423; Filed, Mar. 8, 1965;  
8:49 a.m.]

## CIVIL AERONAUTICS BOARD

[Dockets 11155 etc.; Order E-21865]

## SERVICE RATES FOR CERTAIN MILITARY MAIL IN THE PACIFIC

## Amendment of Order

Service rates for certain military mail in the Pacific; Dockets 11155, 11181 and 11205.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the third day of March 1965.

On February 15, 1965, the Board issued an order to show cause (E-21792) proposing an amendment to Order E-15463, June 29, 1960, establishing service rates for the transportation of military ordinary mail in the Pacific. The purpose of the proposed amendment was to change the standard mileage specified therein for West Coast-Tokyo services from 5,079 to 4,843 miles. This change was intended to reflect the fact that most West Coast-Tokyo services are now being conducted non-stop rather than by the indirect routing being used when the

order was adopted. The shorter mileage had already been adopted for service air mail (E-21514, November 19, 1964) and it was, therefore, proposed to equate the military ordinary mail mileage to the air mail mileage.

No objections have been filed within the time allowed by the order to show cause. Thus, for the reasons stated in the order to show cause, the Board has decided to adopt the proposed amendment.

Pursuant to the Federal Aviation Act of 1958, and particularly sections 204 and 406 thereof,

It is ordered, That:

1. Ordering paragraph 1(c) of Order E-15463, June 29, 1960, is hereby amended as follows:

(c) The rates established in these proceedings will be applied to the mail ton-miles carried each month by each carrier in the class of service to which these rates are applicable. The mail ton-miles shall be computed on the basis of the direct airport-to-airport mileage between points served for the carriage of mail: *Provided, however, That for military mail transported between San Francisco, Portland, or Seattle and Tokyo the mail ton-miles shall be computed on the basis of a standard mileage of 4,843 miles;*

2. This order shall be served on Northwest Airlines, Inc., Pan American World Airways, Inc., and the Postmaster General.

3. This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 65-2431; Filed, Mar. 8, 1965;  
8:50 a.m.]

[Docket 15475]

## TRANS-AIR SYSTEM, INC.

## Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled application is assigned to be held on March 16, 1965, at 10 a.m. e.s.t., in Room 925, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Rosen Meat Packing Co., Inc.	507	X	X	X			
E. A. Miller & Sons Packing Co.	628	X	X				
Provision Meat Co.	926	X					
New establishment reporting: 3.							
Brander Meat Co.	25			X			
Walt, Schilling & Co., Inc.	235			X			
Dutterer's of Manchester, Inc.	316		X				
Superior Packing Co.	399		X				
Rosenthal Packing Co.	535		X				
Del Curto Meat Co.	445				X		
Aeme Meat Co., Inc.	618		X				
Bell Packers Inc.	692		X				
Carter Packing Co.	698		X				
Triolo Bros.	706			X			
Sierra Meat Co.	862		X				
National Meat Packers	917		X				
Species added: 12.							

Done at Washington, D.C., this 2d day of March 1965.

C. H. PALS,  
Director, Meat Inspection Division, Consumer and Marketing Service.

[P.R. Doc. 65-2381; Filed, Mar. 8, 1965; 8:45 a.m.]

Dated at Washington, D.C., March 4, 1965.

[SEAL] JOSEPH L. FITZMAURICE,  
Hearing Examiner.

[P.R. Doc. 65-2432; Filed, Mar. 8, 1965;  
8:50 a.m.]

[Docket 15210]

## BRANIFF PONCA CITY DELETION

## Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled application is assigned to be held on March 9, 1965, at 10 a.m. e.s.t., in Room 726, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., March 1, 1965.

[SEAL] JOSEPH L. FITZMAURICE,  
Hearing Examiner.

[P.R. Doc. 65-2430; Filed, Mar. 8, 1965;  
8:50 a.m.]

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service  
CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

## Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 181.1, the lists (30 F.R. 100 and 1204) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The references to sheep with respect to Silver Falls Packing Co., Inc., establishment 153, and Salinas Meat Co., establishment 378, are deleted. The reference to cattle with respect to B. Constantino and Sons Co., establishment 918, is deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely.



# REVISED LIST OF WAREHOUSES AND WAREHOUSEMEN LICENSED UNDER THE U.S. WAREHOUSE ACT, AND LIST OF WAREHOUSE LI- CENSES TERMINATED

Pursuant to section 26 of the United States Warehouse Act (7 U.S.C. 266), notice is hereby given as follows: As of December 31, 1964, the following warehouses and warehousemen were licensed and bonded under the United States Warehouse Act.

## A. For the storage of cotton:

### ALABAMA

#### Town, Warehouse, and Warehousemen

Anniston: Farmers Union Warehouse; Farmers Union Warehouse Co. of Calhoun County.  
Anniston: Robinson Brothers Warehouse; Robinson Brothers Warehouse & Warehouse Co., Inc.  
Athens: Athens Bonded Warehouse; Winston S. Garth, Jr., an individual, trading as Athens Warehouse Co.  
Athens: Limestone Bonded Warehouse; Garth-Lovorn, Inc.  
Athens: Cotton Mill Warehouse; Harold N. Lovorn, an individual, trading as Cotton Mill Warehouse.  
Atmore: Farmers and Merchants Warehouse; Carrie K. Currie, Daniel A. Currie and Jack A. Currie, copartners trading as Atmore Milling and Elevator Co.  
Attalla: North Alabama Warehouse; North Alabama Warehouse Co.  
Birmingham: Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Cullman: Ponder's Bonded Warehouse; Elbert E. Ponder and George W. Ponder, Jr., Trustees of Trust Estate B. under the Last Will of the late George W. Ponder.  
Decatur: State Bonded Warehouse; State Bonded Warehouse & Storage Co.  
Decatur: Union Warehouse; Union Warehouse & Warehouse Co.  
Fort Deposit: Norman Bonded Warehouse; R. R. Norman, Sr., R. R. Norman, Jr., W. A. Norman, D. W. Norman and S. M. Norman, copartners, trading as Norman Trading & Milling Co.  
Gadsden: State Bonded Warehouse; State Bonded Warehouse & Storage Co.  
Geraldine: Geraldine Warehouse; Geraldine Warehouse and Storage Co., Inc.  
Guntersville: Guntersville Warehouse & Storage Co.; J. H. Alford and B. A. Alford, copartners, trading as Guntersville Warehouse & Storage Co.

Haleyville: Haleyville Cotton Warehouse; Haleyville Mill and Glin Co.  
Huntsville: Cummings Bonded Warehouse; Charles H. Cummings.  
Huntsville: Huntsville Warehouse; Huntsville Warehouse Co.  
Huntsville: Madison Bonded Warehouse; Madison Bonded Warehouse, Inc.  
Huntsville: Planters Warehouse; Planters Warehouse and Storage Co.  
McCallough: McCullough Bonded Warehouse; Frank P. Currie.  
Mobile: Alabama State Docks Bonded Warehouse; Alabama State Docks Department.  
Monroeville: Monroe Bonded Warehouse; Monroe Bond and Mortgage Co.  
Montgomery: Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Panola: Panola Bonded Warehouse; Jas. L. Parker.  
Scottsboro: Gladish Bonded Warehouse; W. L. Gladish, Jr.  
Selma: Dallas Bonded Warehouse; Dallas Warehouse Co.  
Selma: Selma Warehouse; Selma Warehouse Co.  
Sylacauga: Sylacauga Bonded Warehouse; Parker Fertilizer Co., Inc.  
Talladega: Parker Bonded Warehouse; Parker Fertilizer Co., Inc.  
Talladega: Robinson Brothers Warehouse; Robinson Brothers Warehouse & Warehouse Co., Inc.  
Troy: Alabama Warehouse; Alabama Warehouse Co.  
Troy: Thompson Company Warehouse; Thompson Co., Inc.

**ARIZONA**  
Phoenix: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Picochay: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Yuma: Federal Warehouse; Federal Warehouse & Warehouse Co.

**ARKANSAS**  
Arkadelphia: Golden Cotton Warehouse; A. D. Gross.  
Ashdown: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Batesville: Batesville Warehouse; Southern Warehouse Co.  
Blytheville: Blytheville Warehouse; Blytheville Warehouse Co.  
Blytheville: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Bradley: Bradley Bonded Warehouse; Bradley Warehouse, Inc.  
Brinkley: Southern Warehouse; Southern Warehouse Co.  
Clarendon: Clarendon Warehouse; Southern Warehouse Co.  
Conway: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Cotton Plant: Cotton Plant Warehouse; Cotton Plant Warehouse Co.

**CALIFORNIA**  
Fresno: Allen Warehouse; Allen Warehouse Co. of California.  
Fresno: Fresno Warehouse; Bayside Warehouse Co.  
Georgetown: Albany Warehouse; Albany Warehouse Co.  
Americus: Farmers Bonded Warehouse; Farmers Bonded Warehouse of Sumner, Inc.  
Arlington: Ward's Bonded Warehouse; Mrs. Carol Clementis Ward.  
Ashburn: Strickland's Bonded Warehouse; Strickland's Warehouse Co., Inc.  
Athens: Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Athens: Bowe Warehouse; Mrs. Mary Louise Rowe Birchmore and Malcolm A. Rowe, copartners trading as Bowe Warehouse & Fertilizer Co.  
Atlanta: Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Atlanta: Palmer and Gibbons Bonded Warehouse; Erma W. Palmer and Mary P. Gibbons, copartners, trading as Palmer and Gibbons Bonded Warehouse Co.  
Atlanta: FGG Bonded Warehouse; Irwin Franklin, Morton A. Gregg and Harry M. Gibbons, copartners trading as Franklin, Gregg and Gibbons Bonded Warehouse Co.  
Atlanta: Exposition Warehouse; The Black Hawk Corporation.  
Augusta: S. M. Whitney Warehouse; S. M. Whitney Co., Inc.  
Augusta: Georgia-Carolina Warehouse; Georgia-Carolina Warehouse & Warehouse Co.  
Augusta: Wiggins & Co. Warehouse; Wiggins & Co.  
Augusta: Pope & Fleming Bonded Warehouse; Pope & Fleming, Inc.  
Augusta: Lyon & Lyon Cotton Warehouse; Lyon, Lyon & Co., Inc.

**FLORIDA**  
Dardanelle: Dardanelle Warehouse; Dardanelle Warehouse Co.  
Dell: Dell Warehouse; Dell Warehouse Co.  
Dumas: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Earle: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Englewood: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Eudora: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Evsdale (P.O. Wilson): Wilson Warehouse; Memphis Warehouse & Storage Co.  
Fort City: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Fort Smith: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Helena: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Helena: Helena Warehouse; Helena Warehouse Co.  
Hope: Union Warehouse; Union Warehouse & Warehouse Co.  
Hughes: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Jonesboro: Jonesboro Warehouse; Jonesboro Warehouse Co.  
Leachville: Arkansas Warehouse; Arkansas Warehouse Co., Inc.  
Lepanto: Lepanto Warehouse; Lepanto Warehouse & Warehouse Co., Inc.  
Loneoke: Loneoke Warehouse; Loneoke Warehouse Co.  
Magnolia: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Malvern: Clem Mill and Glin Warehouse; Adolph Fite, Elwood Fite and Claude Fite, copartners d.b.a. Fite Brothers.  
Marianna: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Marked Tree: Marked Tree Warehouse; Marked Tree Warehouse & Warehouse Co., Inc.  
Marvell: Federal Warehouse; Federal Warehouse & Warehouse Co.  
McCrory: Federal Warehouse; Federal Warehouse & Warehouse Co.  
McGehee: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Morrilton: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Newport: Federal Warehouse; Federal Warehouse & Warehouse Co.  
North Little Rock: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Ocala: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Pine Bluff: Federal Warehouse; Federal Warehouse & Warehouse Co.  
Portland: Federal Warehouse; Federal Warehouse & Warehouse Co.



- Augusta; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
 Bartow; Bryant's Bonded Warehouse;  
 Bryant's Inc.  
 Blakely; Farmers Warehouse; The Madison Corp.  
 Brooklet; Farmers' Bonded Warehouse;  
 Farmers Bonded Warehouse, Inc.  
 Calico; Graco Bonded Warehouse; Graco Supply Co., Inc.  
 Camilla; Camilla Cotton Oil Co. Bonded Warehouse; Camilla Cotton Oil Co.  
 Camilla; Walker Gin Bonded Warehouse;  
 Walkers, Inc.  
 Carrollton; Martin Bonded Warehouse;  
 J. E. Martin & Son, Inc.  
 Cedartown; Cedarborn Bonded Warehouse; Cedarborn Cotton Warehouse Co.  
 Cochran; Blackley Warehouse; Blackley Warehouse & Gin Co., Inc.  
 Cochran; Cochran Bonded Warehouse;  
 B. F. Meadows and W. A. Meadows, copartners trading as Cochran Warehouse.  
 Columbus; W. C. Bradley Co. Warehouse;  
 W. C. Bradley Co.  
 Conyers; Ellington's Bonded Warehouse;  
 V. C. Ellington, Sr., an individual trading as V. C. Ellington Gin Warehouse & Lumber Co.  
 Cordale; Nesbitt Bonded Warehouse;  
 Thomas Nesbitt, Thomas Nesbitt, Jr. and Fletcher Nesbitt, copartners trading as Nesbitt Bonded Warehouse Co.  
 Cordale; McCoy Bonded Warehouse; G. E. McCoy.  
 Corvington; N. S. Turner Warehouse; N. S. Turner Warehouse, Inc.  
 Cuthbert; Walker & Daniel Bonded Warehouse; N. M. Walker and G. A. Daniel trading as Walker & Daniel.  
 Davisboro; Taylor Bonded Warehouse;  
 Taylor Bonded Warehouse, Inc.  
 Dawson; Dawson Compress Bonded Warehouse; Dawson Compress and Storage Co.  
 Dawson; Terrell County Bonded Warehouse; Stevens Industries, Inc.  
 DeSoto; DeSoto Bonded Warehouse; DeSoto Gin and Peanut Co.  
 Doerun; Taylor's Bonded Cotton Warehouse; Floyd M. Taylor.  
 Donaldsonville; Planters Products Co.'s Warehouse; Planters Products Co.  
 Dublin; Dublin Bonded Warehouse; Cecil E. Carroll.  
 Dublin; Lovett and Brinson Bonded Warehouse; Lovett and Brinson, Inc.  
 Dudley; Farmers Warehouse; Warthen T. Chappell, and The First National Bank and Trust Company in Macon and Gladys Combs Hogan as Executors of the Last Will and Testament of Robert L. Hogan, deceased partners d.b.a. Chappell & Hogan.  
 Eastman; Studstill Bonded Warehouse; S. W. Studstill.  
 Elberton; Elberton Compress Warehouse; Mrs. Emily Elizabeth Aubrey Jordan, James Stewart Aubrey, Sr., and Maurice Beverly  
 Asbury, Executors of the Last Will of the late J. E. Asbury, and Miss Mamie Jones and M. B. Asbury, copartners trading as Elberton Compress Co. Warehouse Division.  
 Fitzgerald; Ben Hill Bonded Warehouse; Fitzgerald Oil & Fertilizer Co.  
 Fitzgerald; Planters Warehouse and Loan Co.'s Warehouse; Planters Warehouse and Loan Co.  
 Franklinton; Palmer and Gibbons Bonded Warehouse; Erma W. Palmer and Mary P. Gibbons, copartners, trading as Palmer and Gibbons Bonded Warehouse Co.  
 Gay; Gay Bonded Warehouse; Arthur G. Estes, Jr.  
 Glennville; Glennville Bonded Warehouse; Durence-Kicklighter Warehouse Co.  
 Glennville; Taitnall Bonded Warehouse; Taitnall Bonded Warehouse, Inc.  
 Greensboro; Greensboro Bonded Warehouse; Green Supply Co.  
 Hawkinsville; Hawkinsville Bonded Warehouse; L. H. Blount.  
 Hogansville; Hogansville Warehouse; The Hogansville Warehouse Co.  
 Jackson; Bryant Bonded Warehouse; J. Dawson Bryant.  
 Jefferson; Carter's Bonded Warehouse; James L. Carter, Executor of last will and testament of J. Z. Carter.  
 Jefferson; Jefferson Bonded Warehouse; James L. Carter and Vernon Carter, copartners trading as Carter's Warehouse and Fertilizer Co.  
 Kelly; Perry Bonded Warehouse; E. F. Perry & Sons, Inc.  
 Kingston; Kingston Bonded Warehouse; J. W. Martin.  
 Lawrenceville; W. O. Cooper Bonded Warehouse; John B. Cooper and H. L. Cooper, copartners trading as W. O. Cooper Cotton Warehouse.  
 Leslie; Sumter-Lee Warehouse; Leslie Peanut & Gin Co., Inc.  
 Locust Grove; Brown Bonded Warehouse; M. M. Brown.  
 Loganville; Byrd Bonded Warehouse; J. T. Byrd.  
 Louisville; Planters Bonded Warehouse; Hardeman Seed Co., Inc.  
 Lyons; Stanley and Pughley Bonded Warehouse; Stanley & Pughley Gin and Warehouse Company, Incorporated.  
 Macon; Central Bonded Warehouse of Macon; Central Cotton Oil Co.  
 Madison; Farmers Trading Co. Bonded Warehouse; Farmers Trading Co., Madison, Ga.  
 Madison; Godfrey Bonded Warehouse; Godfrey's Warehouse, Inc.  
 McDonough; The Planters Warehouse; The Planters Warehouse and Lumber Co.  
 Meigs; Meigs Bonded Warehouse; B. & J. Company, Inc.  
 Metter; Farmers Union Warehouse; Farmers Union Warehouse of Metter.  
 Midville; Midville Bonded Warehouse; Midville Cotton Warehouse Co.  
 Milledgeville; Harrington's Bonded Warehouse; G. T. Harrington.  
 Millen; Millen Warehouse; The Millen Warehouse Co., Inc.  
 Monroe; Wright Bonded Warehouse; Wright Gin and Trading Co.  
 Monroe; Launius Bonded Warehouse; P. N. Briscoe, J. William Dickinson and Dan M. Briscoe, copartners, trading as Launius Bonded Warehouse Co.  
 Monroe; Parker Bonded Warehouse; Parker Gin and Warehouse, Inc.  
 Moultrie; C. O. Smith Warehouse; C. O. Smith Guano Co.  
 Moultrie; Taylor's Bonded Cotton Warehouse; Floyd M. Taylor.  
 Ocilla; Planters Bonded Warehouse; A. G. Shiver.  
 Parrott; W. M. Dunn's Warehouse; W. G. Dunn.  
 Pinesview; Pinesview Bonded Warehouse; C. E. McLeod and Sons, Inc.  
 Pitts; Shell's Bonded Warehouse; A. C. Shell, Jr.  
 Plains; Carter's Bonded Warehouse; James E. Carter, Jr. and Mrs. Lillian G. Carter, copartners, trading as Carter's Warehouse.  
 Port; Planters Bonded Warehouse; Planters Cotton Warehouse Co.  
 Rochelle; Holt Bonded Warehouse; O. C. Holt, Sr., trading as Holt Brothers Warehouse Co.  
 Rockmart; J. L. Lester & Son Bonded Warehouse; Raymond Lester, trading as J. L. Lester & Son.  
 Rome; Georgia and Alabama Warehouse; Georgia and Alabama Warehouse Co.  
 Rome; Floyd County Bonded Warehouse; Floyd County Bonded Warehouse, Inc.  
 Rome; Rome Warehouse; Ledbetter Trucks, Inc.  
 Royston; Royston Bonded Warehouse; McConnell Warehouse Co., Inc.  
 Rutledge; Hollis Bonded Warehouse; J. W. Hollis.  
 Sandersville; Tarbutton Bonded Warehouse; Tarbutton Realty Co., Inc.  
 Sandersville; Gilmore's Bonded Warehouse; Winifred B. Gilmore and Thomas W. Gilmore, Jr., copartners, trading as Gilmore Brothers.  
 Savannah; FGG Bonded Warehouse; Irwin Franklin, Morton A. Gregg and Harry M. Gibbons, copartners trading as Franklin, Gregg and Gibbons Bonded Warehouse Company.  
 Senola; Daniel's Bonded Warehouse; Arthur G. Estes, Jr.  
 Senola; The Brick Bonded Warehouse; Paul B. McKnight, Sr. and Paul R. McKnight, Jr., copartners, trading as P. R. McKnight & Son.  
 Shady Dale; Banks-Kelly Bonded Warehouse; Banks-Kelly Co., Inc.  
 Social Circle; Social Circle Bonded Warehouse; Duval and Co.  
 Social Circle; Malcom's Bonded Warehouse; B. A. Malcom.  
 Soperton; Fowler Bonded Warehouse; Treutlen Gin and Seed Co., Inc.  
 Soperton; Waller's Bonded Warehouse; J. Treutlen Waller.  
 Sparta; Monte's Bonded Warehouse; Marvin E. Monte.  
 Statesboro; Farmers' Union Warehouse; Smith Trading Co.  
 Statesboro; Planters Cotton Warehouse; Planters Bonded Cotton Warehouse, Inc.  
 Sylvan; Farmers Bonded Warehouse; J. P. Evans, David W. Reed and H. A. Williams, Jr., copartners trading as Evans, Reed & Williams.  
 Sylvan; Sylvan's Bonded Warehouse; Screven Oil Mill.  
 Sylvester; Houston Bonded Warehouse; Houston Gin & Warehouse Co.  
 Taylorsville; Taylorsville Bonded Warehouse; Farmers Supply Co.  
 Tennille; Planters Bonded Warehouse; W. B. Smith.  
 Tennille; Tennille Bonded Warehouse; Washington Ginning Co.  
 Thomaston; Upson Alliance Warehouse; Upson Alliance Warehouse Co.  
 Thomaston; Reeves Bonded Warehouse; J. F. Reeves.  
 Thomson; McDuffie Oil and Fertilizer Warehouse; McDuffie Oil and Fertilizer Co.  
 Twin City; Twin City Bonded Warehouse; Twin City Gin Co.  
 Vienna; J. A. Whitehead & Co. Bonded Warehouse; J. A. Whitehead.  
 Warrenton; Warrenton Bonded Warehouse; H. D. O'Neal.  
 Warrenton; Johnson Cotton Warehouse; W. D. Johnson, an individual, trading as Johnson Cotton Warehouse.  
 Waynesboro; Planters Warehouse; Planters Warehouse Co. of Waynesboro.  
 Waynesboro; Neely Bonded Cotton Warehouse; Neely Bonded Cotton Warehouse, Inc.  
 Waynesboro; Burke County Bonded Warehouse; Burke County Gin & Fertilizer Co.  
 Williamson; Farmers Bonded Warehouse; P. W. Vaughn.  
 Windsor; Smith Bonded Warehouse; Smith Bonded Warehouse, Inc.  
 Woodbury; Woodbury Bonded Warehouse; Woodbury Gin and Fertilizer Co.  
 Wrightsville; City Warehouse; W. H. Lovett, W. E. Lovett, L. L. Lovett, H. G. Hatcher, Mrs. H. G. Hatcher and Mrs. Lena Lovett, trading as City Warehouse.  
 Wrightsville; Union Warehouse; J. F. Jordan.  
 Wrightsville; Lovett's Bonded Warehouse; Lovett & Co., Inc.  
 Wrightsville; Rowland's Bonded Warehouse; Rowland's Gin and Bonded Warehouse of Wrightsville, Georgia, Inc.  
 Youth; Byrd Bonded Warehouse; J. T. Byrd.



- West Point; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Yazoo City; Federal Compress Warehouse; Federal Compress & Warehouse Co.
- MISSISSIPPI
- Arbyrd; Arbyrd Compress Warehouse; Arbyrd Compress Co.; Caruthersville; Caruthersville Compress Warehouse; Southeast Missouri Compress Co.; Charleston; National Compress Warehouse; National Compress & Warehouse Co.; Gideon; Gideon Compress Warehouse; Reginald & Earl's Co.; Hayti; Hayti Compress Warehouse; South-east Missouri Compress Co.; Kennett; Dunklin County Compress Warehouse; Dunklin County Compress and Warehouse Co.; Lilbourn; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Malden; Dunklin County Compress Warehouse; Dunklin County Compress and Warehouse Co.; Portageville; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Sikeston; Sikeston Compress Warehouse; Sikeston Compress & Warehouse Co.
- NEW MEXICO
- Artesia; Artesia Compress Warehouse; Alma Sanders Francis, Leslie Paul Francis, William Kavanaugh Francis and Christine Francis Jones, copartners, trading as Artesia Compress Co.
- NORTH CAROLINA
- Charlotte; Charlotte Bonded Warehouse; Charlotte Bonded Warehouse Co.; Charlotte; Standard Warehouse; Standard Warehouse, Inc.; Charlotte; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.; Charlotte; Merchants Bonded Warehouse; Merchants Bonded Warehouse Co.; Charlotte; Standard Bonded Warehouse; Standard Bonded Warehouse Co.; Elizabeth City; Elizabeth City Bonded Warehouse; Robinson Manufacturing Co.; Gastonia; Gastonia Bonded Warehouse; Gastonia Bonded Warehouse, Inc.; Gastonia; Avon Bonded Warehouse; Avon Bonded Warehouse, Inc.; Peoples Bonded Warehouse; Peoples Bonded Warehouse, Inc.; Gastonia; Broad Street Bonded Warehouse, Inc.; Broad Street Bonded Warehouse, Inc.; Gastonia; Central Bonded Warehouse Division of Bayside Warehouse Co.; Bayside Warehouse Co.; Shelby; Planters and Merchants Warehouse; Planters and Merchants Warehouse Co.; Battleground; Braswell Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.
- Kosciusko; United Warehouse; United Warehouse, Inc.; Laurel; Laurel Compress Warehouse; Laurel Compress Co.; Leland; Leland Compress Warehouse; Leland Compress Co.; Lexington; Lexington Compress Warehouse; Lexington Compress Co.; Macon; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Magee; Cooperative Cotton Warehouse; Magee Cooperative (AAL); Magnolia; Magnolia Compress Warehouse; Hattiesburg Compress Co.; Marks; Federal Compress Warehouse; Federal Compress & Warehouse Co.; McComb; Federal Cotton Warehouse; The Kramertown Co., Inc.; Meridian; Meridian Compress Warehouse; Interstate Compress & Warehouse Co.; Meridian; Mississippi Cotton Warehouse; W. V. McManis; New Albany; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Newton; Newton Bonded Warehouse; Compress of Union; Okolona; Federal Compress Warehouse; Philadelphia; The Philadelphia Compress Warehouse; Compress of Union; Pontotoc; Pontotoc Compress Warehouse; Pontotoc Warehouse Co.; Prentiss; Prentiss Bonded Warehouse; Mississippi Federated Cooperatives (AAL); Qulman; Qulman Bonded Warehouse; Robert Bonney; Ripley; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Rolling Fork; Rolling Fork Compress Warehouse; Deer Creek Compress Co.; Rosedale; Union Compress Warehouse; Union Compress & Warehouse Co.; Ruleville; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Shaw; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Shelby; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Shuqualak; Shuqualak Bonded Warehouse; Harrison Evans, trading as E. F. Nunn & Co.; Sledge; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Summit; Federal Champion Cotton Warehouse; Federal Champion Cotton Warehouse, Inc.; Tunica; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Tupelo; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Tutwiler; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Tyertown; Tyertown Compress Warehouse; The Kramertown Co., Inc.; Union; Union Bonded Warehouse; Compress of Union; Vicksburg; Union Compress Warehouse; Union Compress & Warehouse Co.
- Belmont; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Boonville; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Brookhaven; Brookhaven Compress Warehouse; Mississippi Federated Cooperatives (AAL); Canton; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Carthage; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Clarkdale; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Clarkdale; North Delta Compress Warehouse; North Delta Compress & Warehouse Co.; Cleveland; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Columbia; Columbia Compress Warehouse; Hattiesburg Compress Co.; Columbus; Columbus Compress Warehouse; Columbus Compress & Warehouse Co.; Comor; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Corinth; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Drew; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Drew; National Compress Warehouse; Mississippi Federated Cooperatives (AAL); Durant; Durant Bonded Warehouse; C. Wilkes; Flora (Kearney Park); Flora Compress Warehouse; Flora Compress and Warehouse Co., Inc.; Forest; Forest Compress Warehouse; Forest Compress & Ice Co.; Greenville; Delta Cooperative Compress Warehouse; Delta Cooperative Compress Warehouse; Greenville; Greenville Compress Warehouse; Greenville Compress Co.; Greenville; Paxton Bonded Warehouse; Greenville; Federal Compress Warehouse; Greenville; Federal Compress & Warehouse Co.; Greenwood; Union Compress Warehouse; Union Compress & Warehouse Co.; Grenada; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Gulfport; Mississippi Gulfport Warehouses; Mississippi-Gulfport Compress & Warehouses, Inc.; Hattiesburg; Hattiesburg Compress Warehouse; Hattiesburg Compress Co.; Hollandale; Deer Creek Compress Warehouse; Deer Creek Compress Co.; Holly Springs; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Houston; Houston Compress Warehouse; Houston Compress Co., Inc.; Indianola; Sunflower Compress Warehouse; The Sunflower Compress Co.; Inverness; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Itta Bena; Itta Bena Cooperative Warehouse; Itta Bena Cooperative Compress Co.; Jackson; Federal Compress Warehouse; Federal Compress & Warehouse Co.
- LOUISIANA
- Alexandria; American Compress Warehouse; Frost-Whitely Co., Inc.; Bernice; Lindsey Bonded Warehouse; James D. Lindsey, Mrs. Rosalind Lindsey Albritton, et al., copartners, trading as Lindsey Bonded Warehouse Co.; Delhi; Union Compress Warehouse; Union Compress & Warehouse Co.; Faraday; Union Compress Warehouse; Union Compress & Warehouse Co.; Franklinton; Pearl River Warehouse; Willie Simmons Smith; Haynesville; Haynesville Cotton Warehouse; Haynesville Cotton Warehouse Co., Inc.; Homer; The Peoples Cotton Warehouse; C. G. Dowers; Lake Charles; Cotton Compress and Warehouse Department; Board of Commissioners of the Lake Charles Harbor and Terminal District; Lake Providence; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Mansfield; Mansfield Bonded Warehouse; L. D. Morgan; Monroe; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Natchitoches; American Compress Warehouse; Frost-Whitely Co., Inc.; Newellton; Federal Compress Warehouse; Federal Compress & Warehouse Co.; New Orleans; Cotton Trade Warehouse Division of Bayside Warehouse Co.; Bayside Warehouse Co.; New Orleans; Magnolia Compress Warehouse; Magnolia Compress and Warehouse Co., Inc.; Oak Grove; Union Compress Warehouse; Union Compress & Warehouse Co.; Opelousas; American Compress Warehouse; Frost-Whitely Co., Inc.; Bayville; Union Compress Warehouse; Union Compress & Warehouse Co.; Shreveport; American Compress Warehouse; Southport; Shippers Compress Warehouse; Clifford Atkinson, Clifford Atkinson, Jr. and Eugene Atkinson, Jr., copartners trading as Atkinson & Co.; Tallulah; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Winnaboro; Union Compress Warehouse; Union Compress & Warehouse Co.
- MISSISSIPPI
- Aberdeen; Monroe County Compress Warehouse; Monroe County Compress and Storage Co., Inc.; Amory; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Batesville; Federal Compress Warehouse; Federal Compress & Warehouse Co.; Belmont; Belmont Warehouse; J. H. Alford, Sr. and B. A. Alford, copartners trading as Belmont Warehouse.























- Arkansas City; New Era Mill; The New Era Milling Co.; Atlanta Co-op Elevator; The Atlanta Cooperative Association; The Atwood Equity Co-operative Exchange; The Nemaha Valley; Shelby Elevator; Farmers Elevator; County Cooperative Association; The Farmers Elevator; Farmers Elevator; The Farmers Elevator; Co-op Elevator; The Co-operative Grain & Supply Co.; Beaver Grain Elevator; Beaver Grain Corp., Inc.; Beeler; Beeler Coop; The Beeler Cooperative Exchange; Farmers Elevator; The Pawnee County Cooperative Association; Big Bow; Cogburn Big Bow Elevator; C. V. Cogburn, trading as Cogburn Grain Co.; Shuff City; Sam Croft Elevator; Sam Croft, d.b.a. Sam Croft Grain Co.; Boese Sliding (P.O. Jetmore); Boese Elevator; Boese Grains, Inc.; Brewster; Coffey Elevator; The Coffey Grain Co., Inc.; Brewster; Coop Elevator; Farmers Co-operative Association; Bucklin Grain Co.; Bucklin Grain Co., Inc.; Cambridge; Holt Grain Co. Elevator; E. H. Holt, d.b.a. Holt Grain Co.; Charleston (P.O. Ingalls); Farmers Elevators; The Garden City Co-operative Equity Exchange; Chase; Chase Co-operative Elevator; The Chase Co-operative Elevator, Mill and Mercantile Union; Cheney; Cheney Co-op Elevator; The Cheney Co-operative Elevator Association; Climarron; The Climarron Co-operative Elevators; The Climarron Co-operative Equity Exchange; Climarron; Southwestern Grain Elevator; Southwestern Grain, Inc.; Cladlin; Coop Elevator; The Cladlin Cooperative Association; Clearwater; Clearwater Coop Elevator; Clearwater Cooperative Association; Colby; Cooper Terminal; Cooper Grain, Inc.; Colby; Hi-Plains; Co-op Elevator; The Hi-Plains Co-operative Association; Coldwater; Farmers Elevator; The Protection Cooperative Supply Co.; Collier; Coop Elevator; Collier Cooperative Association, Inc.; Colwich; Farmers Elevator; The Andale Farmers Cooperative Co.; Concordia; Concordia Mill Elevator; W. Bennett, Jr. and J. D. Bennett, copartners, trading as Concordia Milling Co.; Conway Springs; Conway Spring Elevator; Charles P. Garretson, trading as Garretson Grain Co.; Conway Springs; The Farmers Cooperative Grain Association Elevator; The Farmers Cooperative Grain Association.
- Redfield; Cargill Redfield Elevator; Cargill, Incorporated; Silver Sioux; Farmers Elevator; Farmers Co-operative Co.; Saxon; Federal-North Iowa Grain Co.; Saxon; Federal-North Iowa Grain Co.; Shelby; Shelby Elevator; Farmers Elevator; Sheldon; Big 4 Elevator; Big 4 Cooperative Processing Association; Sheldon; Farmers Elevator; Farmers Co-operative Elevator Association of Sheldon, Iowa; Sherman; Farmers Cooperative Elevator; Farmers Cooperative Elevator Co.; Sioux City; Bartlett Elevator; Bartlett and Co. Grain; Sioux City; Cargill Sioux City Elevator "A"; Sioux City; Cargill Sioux City Elevator "B"; Cargill, Inc.; Sioux City; Farmers Union Elevator; Farmers Union Grain Terminal Association; Sioux City; Terminal Grain Corp. Elevator; Terminal Grain Corp.; Sloan; Farmers Elevator; Farmers Cereal Co. (Cooperative); Templeton; Conklin Elevators; Edith Conklin, trading as Conklin Grain Co.; Walcott; Pillsbury Walcott Elevator; The Pillsbury Co.; Walnut; Continental Elevator; Continental Grain Co.; Washington; Cargill Washington Elevator; Cargill, Inc.; Waverly; Waverly Elevator Co. Elevator; Waverly; Federal-North Iowa Grain Co. Elevator; Federal-North Iowa Grain Co.; Westfield; Mullane Elevator; J. J. Mul-laney Co.; Whitten; Federal-North Iowa Grain Co. Elevator; Federal-North Iowa Grain Co.; Wightman; Moorhouse Elevator; A. Moorhouse Co.; Kansas; Abbeville; Abbeville Coop Elevator; The Farmers Cooperative Grain Co.; Akron; Akron Elevator; H. E. McDaniel; Alamosa; Alamosa Farmers Elevator; The Farmers Cooperative Elevator and Mercan-tile Association; Alamosa; Dannon Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Alden; Alden Elevator; The Farmers Co-operative Union; Amy; Amy Farmers Elevator; The Farm-ers Cooperative Elevator and Mercantile As-sociation; Andale; Farmers Elevator; The Andale Farmers Cooperative Co.; Anthony; Farmers Cooperative Elevator; Anthony Farmer's Cooperative Elevator Co.; Argonia; Danville Coop. Elevator; Danville Cooperative Association; Arkansas City; Ark City Elevator; Dixie Portland Flour Mills, Inc.
- Davenport; Pillsbury Davenport Elevator; The Pillsbury Co.; Deaham; Farmers Elevator; Dedham Co-operative Association; Des Moines; F-G-D-A Des Moines Termi-nal; Farmers Grain Dealers Association of Iowa (Cooperative); Des Moines; Cargill Des Moines Elevator; Cargill, Inc.; Dixie; Farmers Cooperative Elevator; Farm-ers Cooperative Co.; Duncan; Federal-North Iowa Grain Co. Elevator; Federal-North Iowa Grain Co.; Fairfield; Goode Elevator; Goode Elevator Co., Inc.; Fernald; Federal-North Iowa Grain Co. Elevator; Federal-North Iowa Grain Co.; Fort Dodge; Cargill Fort Dodge Elevator; Cargill, Inc.; Gilmore City; Scroggs Elevator; Scroggs Feed and Grain Co.; Glidden; Farmers Elevator; Farmers Co-operative Co.; Gray; Conklin Elevator; Edith Conklin, trading as Conklin Grain Co.; Harlan; Squealer Grain Elevator; Squealer Grain Co.; Hayfield; Federal-North Iowa Grain Co. Elevator; Federal-North Iowa Grain Co.; Jefferson; Milligan Elevators; Milligan Bros. Grain Co.; Jordan; Sterns Elevator; Farmers Co-operative Association; Kansas; Federal-North Iowa Grain Co. Elevator; Federal-North Iowa Grain Co.; Kingsley; Farmers Elevators; The Farmers Elevator Co.; Lake City; Adams Elevator; Robert P. Adams (General Partner) trading as The Adams Elevator of Lake City, Iowa; Laneboro; Moorhouse Elevators; A. Moorhouse Co.; Maillard; Federal-North Iowa Grain Co. Elevator; Federal-North Iowa Grain Co.; McGregor; Mississippi River Terminal No. 2; Farmers Grain Dealers Association of Iowa (Cooperative); Meeker Landing; Mississippi River Ter-minal; Farmers Grain Dealers Association of Iowa (Cooperative); Miller; Federal-North Iowa Grain Co. Ele-vator; Federal-North Iowa Grain Co.; Modale; Farmers Elevators; Modale Coop-erative Association; Mondamin; Farmers Elevator; Farmers Co-operative Co.; Ozo; Continental Elevator; Continental Grain Co.; Palmer; Farmers Elevator; Farmers Co-operative Co.; Paton; Federal-North Iowa Grain Co. Ele-vator; Federal-North Iowa Grain Co.; Radcliffe; Farmers Cooperative Elevator; Farmers Cooperative Elevator Co.; Ralston; Farmers Elevators; Farmers Co-operative Association.
- Raub; Raub Elevator; Raub Grain, Inc.; Reagin; General Grain Elevator; General Grain, Inc.; Schneider; Schneider Elevator; Peavey Co. Scottsbluff; General Grain Elevator; Gen-eral Grain, Inc.; Seymour; Blush Milling Co. Elevator; General Grain, Inc.; State Line; State Line Elevator; Jack Con-ard, trading as Conard Grain Co.; Sullivan; Johnson Mill & Elevator; Sherell W. Johnson, Sr. and Sherell W. Johnson, Jr., Copartners, trading as Johnson Feed & Sup-ply Company; Summitville; General Grain Elevator; Gen-eral Grain, Inc.; Sweetser; General Grain Elevator; General Grain, Inc.; Tab (P.O. Ambia); Tab Elevator; Tab Grain Company, Inc.; Thornmont; Sugar Creek Elevator; Allison, Steinhart & Zook, Inc.; Westport; General Grain Elevator; General Grain, Inc.; Winchester; General Grain Elevator; Gen-eral Grain, Inc.; Iowa; Algona; Cargill Algona Elevator; Cargill, Inc.; Alta; Alta Cooperative Elevator; Alta Co-operative Elevator; Altoona; Farmers Elevator; Farmers Elevator Co.; Bagley; Federal-North Iowa Grain Co. Ele-vator; Federal-North Iowa Grain Co.; Bienville; Farmers Elevators; Bienville Coop-erative Co.; Blocton; Dannon Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Bondurant; Farmers Elevator "B"; Farm-ers Elevator Company; Burlington; Burlington & Mississippi Ele-vator; Archer-Daniels-Midland Co.; Cedar Rapids; Cargill Cedar Rapids Eleva-tor; Cargill, Inc.; Chariton; Farmers Elevator; Farmers Co-operative Association; Clarion; Farmers Elevators; Clarion Farm-ers Elevator Cooperative; Clearfield; Dannon Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Cooper; Milligan Elevators; Milligan Bros. Grain Co.; Council Bluffs; ADM Elevator, Archer-Daniels-Midland Co.; Council Bluffs; Kansas Grain Co. Elevator; Flour Mills of America, Inc.; Council Bluffs; Peavey Elevator; Peavey Company of Omaha; Council Bluffs; Scouler-Bishop Elevator; Scouler-Bishop Grain Co.; Council Bluffs; Bartlett Elevator; Bartlett and Co. Grain; Cushing; Continental Elevator; Continen-tal Grain Co.



- Coolidge; Coolidge Coop Elevator; South Eastern Colorado Co-op.  
Coolidge; Sullivan Inc. Elevator; Sullivan, Inc.  
Copeland; Country Elevator; C & D Grain, Inc.  
Copeland; Riffe Bros. Elevator; Riffe Bros. Co., Inc.  
Corbin; Hunter Elevator; L. Gamble, Administrator of the Estate of Harry H. Hunter, deceased, d.b.a. H. H. Hunter Grain, Feed & Fertilizer.  
Cornling; Coop Elevator; The Nemaha County Co-operative Association.  
Coronado (P.O. Marienthal); Coronado Elevator; Corn, Inc.  
Corwin; Farmers Co-operative Elevators; The Farmers Co-operative Business Association.  
Culver; Culver Coop Elevator; Cooperative Sales and Services, Inc.  
Danville; Danville Coop Elevator; Danville Cooperative Association.  
Deerfield; Farmers Elevators; The Garden City Co-operative Equity Exchange.  
Delphos; Delphos Coop Elevator; The Delphos Cooperative Association.  
Dighton; Farmers Elevator; The Farmers Cooperative Elevator and Mercantile Association.  
Dillwyn; Coop Elevator; The Dillwyn Grain and Supply Co.  
Dodge City; Dodge City Terminal Elevator; The Dodge City Terminal Elevator Co.  
Dodge City; Casteline Elevator; Casteline Grain & Seed, Inc.  
Dodge City; Grain Products Terminal Elevator; Grain Products Terminal Elevator, Inc.  
Douglass; Douglass Grain Co. Elevator; James L. Taylor, trading as Douglass Grain Co.  
Edgerton; Coop Elevator; Johnson County Grange Cooperative.  
El Dorado; Taylor Elevator; James L. Taylor, trading as Douglass Grain Co.  
Elkhart; Addington Elevator; W. H. Addington, trading as Addington Grain Co.  
Ellsworth; Salina Terminal Elevators; The Salina Terminal Elevator Co.  
Feterita (P.O. Hugoton); Feterita Co-op Elevator; The Farmers Co-operative Grain and Supply Co.  
Florence; Coop Elevator; The Burns Farmers Co-operative Union.  
Fowler; Fowler Equity Elevator "B"; The Fowler Equity Exchange.  
Furley (P.O. Valley Center); Furley Grain Elevator; The Furley Grain, Incorporated.  
Galva; Galva Grain Elevator; Western Grain, Inc.  
Garden City; Farmers Elevators; The Garden City Co-operative Equity Exchange.  
Garden City; Lawrence Warehouse No. 8; Lawrence Warehouse Co.  
Garden Plain; Farmers Cooperative Elevator; The Farmers Cooperative Elevator Co.  
Garfield; Garfield Co-operative Elevator; The Garfield Co-operative Co.  
Garnett; Garnett Elevator; Western Grain, Inc.  
Goodland; Coffey Elevator; The Coffey Grain Co., Inc.  
Goodland; Monfort Elevator; Monfort Feed Lots, Inc.  
Grainfield; Farmers Elevator; The Gove County Cooperative Association.  
Great Bend; Great Bend Elevators; The Great Bend Cooperative Association.  
Great Bend; Great Bend Milling Co. Elevator; Flour Mills of America, Inc.  
Green; Lippert Elevator; Maxine Lippert, Frederick as an individual and Executive of the Estate of Warren R. Lippert, trading as Lippert Grain Co.  
Greensburg; Farmers Grain and Supply Elevator; The Farmers Grain and Supply Co. of Kiowa County, Kansas.  
Gypsum; Moore Elevator; Kenneth Moore and Lorene Moore, copartners, trading as Moore Grain and Feed Co.  
Hardtner; O. K. Elevators; The O. K. Co-operative Grain & Mercantile Co.  
Harper; Farmers Cooperative Elevator; Anthony Farmer's Cooperative Elevator Co.  
Haven; Farmers Grain Co.; The Farmers Co-operative Grain Co.  
Hazleton; Farmers Co-operative Elevators; The Farmers Co-operative Business Association.  
Hickok; Sullivan, Inc. Elevator; Sullivan, Inc.  
Hickok Co-op Elevator; The Ulysses Co-operative Oil and Supply Co.  
Hord; Cooper Terminal; Cooper Grain, Inc.  
Hugoton; Parker Elevator; Earl Bryan, trading as Parker Grain Co.  
Hugoton; Hugoton Co-op Elevator; The Farmers Co-operative Grain and Supply Co.  
Hutchinson; C. D. Jennings Elevator; The C. D. Jennings Grain Co.  
Hutchinson; Kelly Elevator; The William Kelly Milling Co.  
Hutchinson; Grain Belt Elevator; The Salina Terminal Elevator Co.  
Ingalls; Ingalls Grain Elevator; Ingalls Cooperative.  
Inman; Chase Elevator; The Chase Grain Co., Inc.  
Johnson; Ogburn Johnson Elevator; C. V. Ogburn, trading as Ogburn Grain Co.  
Joy; Farmers Grain and Supply Elevator; The Farmers Grain and Supply Co. of Kiowa County, Kansas.  
Junction City; Mid-Continent Elevator; Western Grain, Inc.  
Kalvesta; Boese Elevator; Boese Grains, Inc.  
Kaneo; Greeley County Coop Elevator; The Greeley County Cooperative Association.  
Kannorodo; Coffey Elevator; Coffey-Bald, Inc.  
Kannorodo; Kannorodo Co-op Elevator; The Farmers Co-operative Grain and Supply Co.  
Kannorodo; Turnpike Elevator; Seaboard Allied Milling Corp.  
Kansas City; Bunge Elevator; Bunge Corp.  
Kansas City; Farmers Union Fairfax Elevator; The Farmers Union Cooperative Marketing Association.  
Kansas City; River-Rail Elevator; Bartlett and Co. Grain.  
Kellogg; Kellogg Coop Elevator; Kellogg Farmers Union Cooperative Association.  
Kensington; Kensington Coop Elevators; The Kensington Cooperative Association.  
Kiowa; O. K. Elevators; The O. K. Co-operative Grain & Mercantile Co.  
Kismet; Equity Elevator; The Plains Equity Exchange and Co-operative Union.  
LaCygne; Farmers Coop Elevator; The Llan County Farmers Cooperative Association.  
Larned; Pawnee Elevators; The Pawnee County Cooperative Association.  
Lawrence; Concrete Elevator; The Bowersock Mills & Power Co.  
Lawrence; Farmers Coop Elevator; The Farmers Cooperative Association.  
Lehigh; Farmers Elevator; The Farmers Co-operative Grain and Mercantile Co.  
Leoti; C. D. Jennings Elevator; The C. D. Jennings Grain Co.  
Love (P.O. Holcomb); Farmers Elevators; The Garden City Co-operative Equity Exchange.  
Lyons; Central Kansas Elevator; The Salina Terminal Elevator Co.  
Lyons; Lyons Co-op Elevator; Lyons Co-operative Association.  
Mackville; English Bros. Elevator; Robert H. English and William T. English, copartners, trading as English Grain Co.  
Mackville; Farmers Co-op Assn. Elevator; Farmers Co-operative Association.  
Malze; Malze Mills Elevator; Malze Mills, Inc.  
Marienthal; West Plains Elevator; West Plains Grain, Inc.  
Mayfield; Farmers' Co-op Elevator; Farmers' Cooperative Grain Association of Wellington, Kans.  
McPherson; Chase Elevator; The Chase Grain Co., Inc.  
Meade; The Co-operative Elevators; The Co-operative Elevator and Supply Co.  
Milpost (P.O. Ulysses); Co-op Elevator; The Ulysses Co-operative Oil and Supply Co.  
Millton; Garretson Elevator; Charles P. Garretson, trading as Garretson Grain Co.  
Moscow; Thunrow Elevator; Milton M. Thunrow, Ralph V. Thunrow and Orville W. Thunrow, copartners, trading as Carl G. Thunrow & Sons.  
Moscow; Broilley's C & D Elevator; C & D Grain, Inc.  
Moscow; Moscow Elevator; Moscow Elevator Co. E. L. Gaskill, Inc.



- Sharon: Farmers Co-operative Elevator; The Farmers Co-operative Business Association; Sharon Springs; Sharon Elevator; The Wallace County Co-operative Equity Exchange; Shields: Shields Farmers Elevator; The Farmers Co-operative Elevator and Merchants Association; Shock: Farmers Co-operative Elevator; Anthony Farmer's Co-operative Elevator Co. E. Howell, d.b.a. Howell Grain & Insurance, St. John; Coop Elevator; The Dillwyn Grain and Supply Company; The Stafford; Independent Coop Elevator; The Independent Co-operative Grain & Merchants Co.; Stafford; The Stafford Grain and Supply Co. Elevator; The Stafford Grain and Supply Co.; Sterling; Farmers Elevator; The Farmers Co-operative Union; Sublette; Riffe Bros. Elevator; Riffe Bros. Co., Inc.; Sublette; Haskell County Elevator; Haskell County Grain Company, Inc.; Sublette; Sublette Coop Elevator; The Co-operative Grain Dealers Union; Jackson Grain Co., Inc.; Tennis (P.O. Friend); Farmers Elevator; The Garden City Co-operative Equity Exchange; Timken; Timken Coop Elevator; The Timken Co-operative Association; Tribune; Greeley County Coop Elevator; The Greeley County Co-operative Association; Topoka; Farmers Union Terminal Elevator; The Farmers Union Co-operative Marketing Association; Ulysses; Co-op Elevator; The Ulysses Co-operative Oil and Supply Co.; Ulysses; Sullivan Inc. Elevator; Sullivan Inc.; Valley Center; Farmers Elevator; E. Carl Jones and Leta V. Jones, copartners, d.b.a. Valley Center Farmers Elevator; Wallace; Wallace Elevator; The Wallace County Co-operative Equity Exchange; Wellington; Farmers' Co-op Elevator; Farmers' Co-operative Grain Association of Wellington, Kans.; Wellington; ADM Elevator; Archer-Daniels-Midland Co.; Wellington; Hunter Elevators; Ross Industries, Inc.; Weskan; Weskan Elevator; The Wallace County Co-operative Equity Exchange; White City; Mor-Kan Elevator; Western Grain, Inc.; White Cloud; White Cloud Elevator; The White Cloud Grain Co., Inc.; Whitewater; Whitewater Elevator; The Whitewater Flour Mills Co.; Wichita; Public Terminal Elevator; Sam P. Wallingford, Inc.
- Wichita; Hunter Elevator; L. Gamelison, Administrator of the Estate of Harry H. Hunter, deceased, d.b.a. H. H. Hunter Grain, Feed & Fertilizer; Wilmore; Wilmore Elevator; The Bowersock Mills & Power Co.; Wilroast; Co-op Elevator; The Right Co-operative Association; Wilson; Kyrer Elevator; Kyrer Elevators, Inc.; Wilson; Soukup Elevator; Arthur C. Soukup, trading as Soukup Grain Co.; Wolf; Farmers Elevator; The Garden City Co-operative Equity Exchange; Wright; Co-op Elevators; The Right Co-operative Association; Zenda; Farmers Co-op Elevator; The Zenda Grain and Supply Co.; Zenith; Farmers Elevator; Zenith Co-operative Grain Co.
- KENTUCKY**  
Lexington; Lexington Roller Mills Elevator; Lexington Roller Mills, Inc.; Louisville; Kentucky Public Elevator; The Louisville; Daniel Co.; Louisville; Cargill Louisville Elevator; Cargill, Inc.; Louisville; Gold Proof Elevator; Indiana Farm Bureau Co-operative Association, Inc.; Louisville; Distillers' Grain Co. Elevator; Distillers' Grain Co., Inc.; Owensboro; Farmers Elevators; Farmers Elevators, Inc.
- LOUISIANA**  
Abberville; Planters Warehouse; Farmers Warehouse Co.; Crowley; Peoples Warehouse; Farmers Warehouse Co.; Crowley; Acadia Warehouse; Farmers Warehouse Co.; Derrehan; Bunge Corporation Elevator; Bunge Corporation; Derrehan; St. Charles Grain Elevator; Archer-Daniels-Midland Company, a corporation, and Garmco Grain Co., Inc., a joint venture, trading and doing business under the firm name and style of The St. Charles Grain Elevator Co.; Egan; Egan Warehouse; Farmers Warehouse Co.; Eunice; Eunice Rice Drier Warehouse; Farmers Warehouse Co.; Gueydan; Gueydan Warehouse; Farmers Warehouse Co.; Kaplan; Agnes Warehouse; Farmers Warehouse Co.; Jennings; Northern Warehouse; Farmers Warehouse Co.; Lake Charles; Lake Charles Warehouse; Farmers Warehouse Co.; New Orleans; Public Grain Elevator of New Orleans; Public Grain Elevator of New Orleans, Inc.; Port Allen; Port of Baton Rouge Grain Elevator; Cargill, Inc.
- MAINE**  
Haynes; Haynes Warehouse; Farmers Warehouse Co. (Moore Station); Cargill Shreveport Elevator; Cargill, Inc.; Westbrook; Continental Grain Elevator; Port of New Orleans; Continental Grain Co.
- MICHIGAN**  
Adrian; Adrian Elevator; Adrian Grain Co. Milling Co.; Augusta; Knappen Elevator; Knappen Milling Co.; Chelsea; Chelsea Mill Elevator; Chelsea Milling Co.; Clinton; Atlas Feed & Grain Co. Elevator; Atlas Feed & Grain Co.; Dowagiac; Dowagiac Milling Co. Elevator; The Dowagiac Milling Co.; Hillsdale; Stock Elevator; F. W. Stock & Sons, Inc.; Lowell; King Milling Co. Elevator; King Milling Co.; Ottawa Lake (R.F.D. No. 2); Terminal Elevator; Farm Bureau Services, Inc. (Michigan Elevator Exchange, Division).
- MINNESOTA**  
Breckentide; Cargill Elevator; Cargill, Inc.; Columbia Heights; Cargill Minneapolis Flax Plant; Cargill, Inc.; Crookston; Cargill Elevator; Cargill, Inc.; Duluth; Cargill Duluth EHI Elevator; Cargill, Inc.; Terminal Grain Elevator; Terminal Grain Corporation; Marshall; Cargill Elevator; Cargill, Inc.; Minneapolis; Belco Elevator; Burdick Grain Co.; New Ulm; Burdick Elevator; Burdick Grain Co.; New Ulm; Valley Grain Co. Division Elevator; Fraser-Smith Co.; Port Cargill (P.O. Savage); Port Cargill Elevator; Cargill, Inc.; Red Wing; Central Elevator; Central Grain Co.; Savage; Port Cargill Elevator "A"; Cargill, Inc.; Sleepy Eye; Cargill Elevator; Cargill, Inc.; St. Paul; Capital B Elevator; International Milling Co., Inc.; St. Paul; Walsh River Terminal; Walsh Grain Co.; Stordren; Terminal Grain Elevator; Terminal Grain Corporation; Wesco (P.O. Gueck); Cargill Elevator; Cargill, Inc.; Winona; Elevator "F"; Winona Elevator Corp.
- MISSISSIPPI**  
Greenville; Greenville Warehouse; Mississippi Rice Warehouse Co.; Natchez; Cargill Natchez Elevator; Cargill, Inc.; Pascagoula; Jackson County Terminal Elevator; Louis Dreyfus Corporation.
- MISSOURI**  
Advance; Advance M.F.A. Elevator; M.F.A. Central Cooperative; Albany; M.F.A. Elevator; M.F.A. Central Cooperative; Bernice; Bernice M.F.A. Elevators; M.F.A. Central Cooperative; Booneville; Booneville M.F.A. Elevator; M.F.A. Central Cooperative; Brunswick; M.F.A. Central Cooperative Elevator; Callao; Callao Elevator; B. C. Christopher & Co., a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Gus D. Welsh, Lawrence F. Hogan, Norman Supper, Ludwell G. Gaines III, Phillip Kuhn, Lowell H. Lstrum, Leslie H. Philblad and Robert F. Wilson, general partners; Dannen Mills Division Elevator; The Farmers Union Co-operative Marketing Association; Carrollton; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.; Caruthersville; River Elevator; Missouri Grain Co.; Central; M.F.A. Elevator; M.F.A. Central Cooperative; Clinton; Larabee Elevator; Archer-Daniels-Midland Co.; Columbia; Boone County M.F.A. Elevator; M.F.A. Central Cooperative; Craig; Community Elevator; Bickel, Inc.; Dalton; Dalton Elevator; B. C. Christopher & Co., a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Gus D. Welsh, Lawrence F. Hogan, Norman Supper, Ludwell G. Gaines III, Phillip Kuhn, Lowell H. Lstrum, Leslie H. Philblad and Robert F. Wilson, general partners; Dearborn; Halferty Bros. Elevator; J. B. Halferty and Carl Halferty, copartners, doing business as Halferty Brothers; Diehlstadt; Diehlstadt Elevator; Semo Farmers' Grain Co.; Esser; Esser M.F.A. Elevator; M.F.A. Central Cooperative; Fortescue; Fortescue Elevator; Fortescue Grain Co., Inc.; Gregory (P.O. Canton); Gregory Elevator; Gabe Logsdon & Sons, Inc.; Hannibal; Hannibal Terminal Elevator; Hannibal Grain Terminal, Inc.; Hardin; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.; Hayti; Hayti Elevator; Missouri Grain Co. Heavy (P.O. Bell City); Bell City Elevator; Semo Farmers' Grain Co.; Higginsville; Higginsville Flour Mill Warehouse; Dixie-Portland Flour Co.; Kansas City; Cargill Milwaukee Elevator; Cargill Incorporated; Kansas City; Chouteau Elevator; Simmonds-Shields-Thels Grain Co.; Kansas City; Boulevard Elevator; Seaboard Allied Milling Corp.



- Kansas City: K.C.S. Elevator; Archer-Daniel-Midland Co.
- Kansas City: K.C.T. Elevator; Kansas City Terminal Elevator Co.
- Kennett: Kennett Soybean Elevator; E. M. Reganold & Co. Kennett Soybean Co.
- Knob Noster: Knob Noster Elevator; W. J. Carr and Louis P. Lay, trading as Knob Noster Elevator Co.
- La Belle: M.F.A. Elevator; M.F.A. Central Cooperative.
- Lamar: M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.
- La Monte: La Monte Elevator; La Monte Elevator, Inc.
- Lexington: M.F.A. Elevator; Central Cooperative.
- Linneus: M.F.A. Central Cooperative Elevator; M.F.A. Central Cooperative.
- Louisiana: M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.
- Macon: Macon Elevator; B. C. Christopher & Co., a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Gus D. Welsh, Lawrence P. Hogan, Norman Supper, Ludwell G. Gaines III, Phillip Kuhn, Lowell H. Lstrum, Leslie H. Philblad and Robert F. Wilson, general partners.
- Marshall: M.F.A. Elevator; M.F.A. Central Cooperative.
- Marston: E. B. Gee Cotton & Grain Co. Warehouse; E. B. Gee Cotton & Grain Co., Inc.
- Maryville: Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association.
- Mexico: M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.
- Morley: Morley Elevator; Semo Farmers' Grain Co.
- New Franklin: New Franklin M.F.A. Elevator; M.F.A. Central Cooperative.
- Norborne: Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.
- North Kansas City: Monarch Elevator; Archer-Daniel-Midland Co.
- North Kansas City: Checkerboard Elevator; Ralston Purina Company, trading as Checkerboard Grain Company.
- North Kansas City: P.M.A. Elevator; Flour Mills of America, Inc.
- North Kansas City: International Milling Company Elevator; International Milling Co., Inc.
- North Kansas City: Herring Sales Elevator; L. Wayne Herring, d.b.a. Herring Sales.
- Oaage City: Oaage City Elevator; W. A. Rootes and Co.
- Portageville: Cypress Supply Company Elevator; Cypress Supply Company.
- Rea: Rea Elevator; Rea Grain & Feed Co.
- Richmond: Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.
- Salisbury: M.F.A. Elevator; M.F.A. Central Cooperative.
- Senath: Senath Grain Elevator; B. C. Christopher & Co., a limited partnership with Herne Christopher, John H. Collett, Edward G. Mader, Gus D. Welsh, Lawrence P. Hogan, Norman Supper, Ludwell G. Gaines III, Phillip Kuhn, Lowell H. Lstrum, Leslie H. Philblad and Robert F. Wilson, general partners.
- Sedalia: M.F.A. Elevator; M.F.A. Central Cooperative.
- Shelbina: M.F.A. Elevator; M.F.A. Central Cooperative.
- St. Joseph: Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association.
- St. Joseph: Bartlett Elevator; Bartlett and Co. Grain.
- St. Joseph: Krause St. Joseph Elevator; Krause Milling Company, Inc.
- St. Joseph: Northwest Elevator; Northwest Grain Storage Corp.
- St. Joseph: Burlington Elevator; The Pillsbury Co.
- St. Joseph: B. & E. Elevator; the B. & E. Grain Co.
- St. Louis: ADM Elevator "A"; Archer-Daniel-Midland Company.
- St. Louis: Checkerboard Elevator A; B. & E. Grain Co., trading as Checkerboard Grain Co.
- St. Louis: Missouri Pacific Elevator; Continental Grain Co.
- St. Louis: St. Louis Grain Corp. Elevator; St. Louis Grain Corp.
- St. Louis: Corneli Elevator; Corneli Seed Co.
- St. Louis: St. Louis Flour Mills; The Ocolado Milling & Elevator Co., trading as St. Louis Flour Mills.
- St. Marys: M.F.A. Elevator; M.F.A. Central Cooperative.
- Sumner: Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.
- Tebbetts: Rootes Elevator; W. A. Rootes and Co.
- Triplet: Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.
- Vanduser: Vanduser Elevator; Semo Farmers' Grain Co.
- Wakenda: Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.
- Wayland: Leggsdon's Elevator; Gabe Leggsdon & Sons, Inc.
- Wolf Island: Wolf Island Elevator; Story Feed and Seed Co.
- NEBRASKA
- Asbland: Kuhl-Reese Company's Elevator; Kuhl-Reese Co.
- Aurora: Dowd Elevator; Dowd Grain Co., Inc.
- Bancroft: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Beatrice: Farmers Cooperative Elevator; Farmers Cooperative Elevator Co.
- Beaver Crossing: Farmers Elevator; Farmers Cooperative Co.
- Beemer: Continental Elevator; Continental Grain Co.
- Bellwood: Farmers Elevator; Farmers Cooperative Grain Co.
- Benedict: Farmers Grain Association Elevator; Farmers Co-operative Grain Association of Benedict, Neb.
- Benkelman: Benkelman Elevator; Independent Elevators, Inc.
- Beres: Deaver Elevator; Deaver Grain Co., Inc.
- Birby: Birby Cooperative Elevator; Birby Cooperative Co.
- Blair: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Bloomfield: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Brownville: Continental Elevator; Continental Grain Co.
- Cedar Bluffs: Farmers Elevator; The Farmers Union Co-operative Association of Cedar Bluffs, Neb.
- Central City: Levitt Elevator; Merrick County Grain Co.
- Chappell: Farmers Elevator; Farmers Elevator Company, A Cooperative.
- Cokeridge: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Columbus: Farmers Grain Terminal; Fortman-Gammel Grain Co., Inc.
- Cornelia: Continental Elevator; Continental Grain Co.
- Craig: Farmers Union Elevator; Farmers Union Co-operative Association.
- Craig: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Crete: Crete Mills Division Elevator; Lou Hot Grain Co.
- Doane: Doane Elevator; Independent Elevators, Inc.
- Dorchester: Farmers Elevator; The Dorchester Farmers Cooperative Grain and Livestock Co.
- Durant: Elmer H. Richters, trading as Durant Grain Co.
- Eagle: Continental Elevator; Continental Grain Co.
- Elmwood: Farmers Elevator; Farmers Cooperative Association of Elmwood, Neb.
- Elsie: Cooperative Elevator; Elsie Equity Cooperative Exchange.
- Elsie: Kellogg Elevator; O. M. Kellogg, trading as O. M. Kellogg Grain Co.
- Fairbury: Farmers Union Co-op Elevator; Farmers Union Co-operative Association of Fairbury, Neb.
- Fremont: Elevator "B"; Westcentral Cooperative Grain Co.
- Fremont: Nebraska Consolidated Mills Elevator; Nebraska Consolidated Mills Co.
- Genoa: Koehler Elevator; A. Koehler Co.
- Grand Island: Nebraska Consolidated Mills Elevator; Nebraska Consolidated Mills Co.
- Grant: Co-operative Elevator; The Grant Co-operative Exchange.
- Grant: Producers Elevator; Producers Grain Company, Inc.
- Hartington: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Hartington: Hartington Elevator; Hartington Elevator Co.
- Harvard: Farmers Elevator; The Farmers Union Co-operative Elevator Co.
- Hastings: Garvey Elevator; Garvey Elevators, Inc.
- Hemington: Farmers Co-operative Elevator; Farmers Co-operative Elevator Co.
- Herman: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Imperial: Farmers Elevator; The Imperial Co-operative Equity Exchange.
- Jacinto (P.O. Dix): Point of Rocks Elevator; Point of Rocks Elevators, Inc.
- Kearney: Elevator "C"; Westcentral Cooperative Grain Co.
- Laurel: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Lincoln: Lincoln Grain, Inc. Elevator; Lincoln Grain, Inc.
- Lincoln: Fairchild Division Elevator; Homegeers & Co., Inc.
- Lincoln: Elevator "D"; Westcentral Cooperative Grain Co.
- Lincoln: Gooch Mill Elevator; Gooch Milling & Elevator Co.
- Lindsay: Continental Elevator; Continental Grain Co.
- Lyons: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Madrid: Moon Elevator; Moon Grain Co.
- Maywood: Farmers Elevator; Maywood Cooperative Association.
- Meadow Grove: Continental Elevator; Continental Grain Co.
- Nebraska City: Nebraska City Elevator; The Nebraska City Grain Co.
- Nebraska City: Bartlett Elevator; Bartlett and Co. Grain.
- North Bend: North Bend Elevator; North Bend Grain Co., Inc.
- Oakdale: Oakdale Elevator; Holmquist Elevator Co.
- Oakland: Holmquist Elevator; The Holmquist Grain and Lumber Co.
- Ogallala: Cogil Elevators; Ogallala Grain, Inc.
- Omaha: Milwaukee Elevator "A"; J. Leroy Welsh, James L. Welsh, Jr. and James Leroy Welsh, as Executor of the last will and testament of Helen V. Welsh, deceased, copartners, trading as Butler-Welsh Grain Company.
- Omaha: Allied Mills Elevator; Allied Mills, Inc.
- Omaha: Missouri Pacific Elevator; Continental Grain Co.
- Omaha: Nebraska-Lowa Elevator; The Pillsbury Co.
- Omaha: CMA-Omaha Elevator; The Farmers Union Cooperative Marketing Association.
- Omaha: Illinois Central Elevator; Archer-Daniel-Midland Co.
- Omaha: Nebraska Consolidated Mills Elevator; Nebraska Consolidated Mills Co.



- Omaha; Elevator "A"; Western Central Cooperative Grain Co.  
 Osceola; Farmers Grain Elevator; Farmers Cooperative Grain Co.  
 Osceola; Smith Elevator; Smith Grain Co.  
 Parks; Parks Elevator; Independent Elevators, Inc.  
 Potter; Point of Rocks Elevator; Point of Rocks Elevators, Inc.  
 Potter; Farmers Elevators; Potter Cooperative Grain Co.  
 Ranch Spur (P.O. Herman); Ranch Spur Elevator; H. C. Fankhauser and V. R. Fankhauser, copartners trading as Fankhauser Bros.  
 Rogers; Golden West Grain Co.'s Rogers Elevator; Golden West Grain Co.  
 Roelke; Holmquist Elevator; The Holmquist Grain and Lumber Co.  
 Roscoe; Hull Elevator; C. L. Hull, trading as Hull Grain Co.  
 Schuyler; Golden West Grain Company's Elevator; Golden West Grain Co.  
 Scribner; Farmers Elevator; Farmers Cooperative Mercantile Co., Non-Stock.  
 Scribner; Scribner Elevator; Scribner Grain & Lumber Co.  
 Seward; Continental Elevator; Continental Grain Co.  
 Shelton; Continental Elevator; Continental Grain Co.  
 Staphurst; Continental Elevator; Continental Grain Co.  
 Strang; Strang Grain Elevator; Strang Lumber and Grain Co.  
 Stromburg; Farmers Elevators; Farmers Cooperative Grain Association of Stromburg.  
 Superior; Secular-Bishop Elevator; Secular-Bishop Grain Co.  
 Teakamah; Farmers Elevator; Farmers Non-Stock Cooperative Grain Association.  
 Teakamah; Holmquist Elevator; The Holmquist Grain and Lumber Co.  
 Thurston; Merry Elevator; Alvin Merry, trading as Merry Grain & Lumber Co.  
 Tilden; Continental Elevator; Continental Grain Co.  
 Ulysses; Farmers Cooperative Elevators; Farmers Cooperative Grain & Supply Co.  
 Utica; Utica Co-operative Grain Company's Elevators; Utica Co-operative Grain Company.  
 Venango; Dudden Elevator; Dudden Elevator, Inc.  
 Venango; Farmers' Elevators; Farmers Union Cooperative Grain Co. of Venango, Neb.  
 Verdel; Continental Elevator; Continental Grain Co.  
 Verdon; Continental Elevator; Continental Grain Company.  
 Wallace; Kellogg Elevator; O. M. Kellogg, trading as O. M. Kellogg Grain Co.  
 Walhall; Holmquist Elevator; The Holmquist Grain and Lumber Co.  
 Waukena; Farmers Elevator; Farmers Cooperative Exchange.
- Engelhardt; R. L. Gibbs and Co. Grain Elevator; Wm. Gibbs, Superintendent of the State of North Carolina.  
 Monroe; Producers Feed Mill Warehouse; Warehouse Superintendent of the State of North Carolina.  
 Mooreville; Mooreville Grain Elevator; Warehouse Superintendent of the State of North Carolina.  
 Newton Grove; House Grain Elevators; Warehouse Superintendent of the State of North Carolina.  
 Selma; Gursley Milling Co. Grain Elevator; Warehouse Superintendent of the State of North Carolina.  
 Snow Hill; Snow Hill Milling Elevator; Warehouse Superintendent of the State of North Carolina.  
 Grand Forks; G-F Elevator; G-F Grain Co.  
 Jamestown; J-T Elevator; J-T Grain Co.
- OHIO  
 Bloomingburg; Bloomingburg Elevator; The Early and Daniel Co.  
 Chillicothe; Standard Elevator; The Standard Elevator and Supply Co.  
 Cincinnati; Fairmount and Riverside Elevators; The Early and Daniel Co.  
 Columbus; Farm Bureau Columbus Elevator; The Farm Bureau Cooperative Association, Inc.  
 Columbus; Continental Elevator; Continental Grain Co.  
 Columbus; Eshelman Grain Company Elevator; International Milling Co., Inc.  
 Coshocton; Coshocton Elevator; Coshocton Grain Co.  
 Dover; Dover Mill; The Dover Milling Co.  
 Fletcher; Fletcher Elevator; Shepard Grain Company, Inc.  
 Fostoria; Fostoria Elevator; The Ohio Farmers' Grain Corp.  
 Fostoria; Mennel Elevator; The Mennel Milling Co.  
 Harrison; J. A. Cornelius Grain Elevator; J. A. Cornelius  
 Kileville (P.O. R.R. No. 3 Plain City); Kileville Elevator; The Ohio Grain Company; Lexington; Continental Lexington Elevator; Continental Grain Co.  
 Lima; Cargill Lima Elevator; Cargill, Incorporated.  
 Logan; Keyes Bros. Mill; Robert W. Keyes, trading as Keyes Bros.  
 Mansfield; General Grain Elevator; General Grain, Inc.  
 Marysville; Marysville Elevator; The Ohio Grain Co.  
 Maumee; Cargill Toledo Elevator; Cargill, Inc.  
 Mechanicsburg; Mechanicsburg Elevator; The Ohio Grain Co.  
 Shelby; Shelby Equity Elevator; The Shelby Equity Exchange Co.
- WINNEBAGO; Holmquist Elevator; The Holmquist Grain and Lumber Co.  
 Winnebago; Merry Grain Company Elevator; Holmquist Elevator Co.  
 Winnebago; Continental Elevator; Continental Grain Co.
- NEVADA  
 Carlin; Nevada Freeport Storage; Nevada Freeport Storage Co.  
 Elko; Nevada Freeport Storage; Nevada Freeport Storage Co.
- NEW MEXICO  
 Cloris; Farmers Cooperative Elevators; Farmers Cooperative Elevators, Inc.  
 Clovis; New Mexico Mill Elevator; New Mexico Mill & Elevator Co. (no stockholders liability).  
 Clovis; Worley Mills Elevator; Worley Mills, Inc. (no stockholders liability).  
 Grifer; Farmers Cooperative Elevators; Farmers Cooperative Elevators, Inc.  
 Melrose; Farmers Cooperative Elevators; Farmers Cooperative Elevators, Inc.  
 Melrose; Melrose Elevator; Melrose Grain & Elevator Co., Inc.  
 Portales; Worley Mills Elevator; Worley Mills, Inc. (no stockholders liability).  
 Texico; New Mexico Mill Elevator; New Mexico Mill & Elevator Co. (no stockholders liability).  
 Texico; State Line Elevator; State Line Grain, Inc.  
 Tucumcari; Farmers Elevator; Farmers Cooperative Association.  
 Tucumcari; Addington Elevator; W. H. Addington, trading as Addington Grain Co.
- NEW YORK  
 Albany; Port of Albany Elevator No. 1; Cargill, Inc.  
 Buffalo; Cargill Electric Elevator; Cargill, Inc.  
 Buffalo; Cargill Superior Elevator; Cargill, Inc.  
 Buffalo; Cargill Pool Elevator; Cargill, Inc.  
 Buffalo; Standard Elevator; Standard Milling Co., d.b.a. Standard Milling Co., Inc. in New York State.
- NORTH CAROLINA  
 Norwood; Norwood Grain Elevator; Lee Milling Co., Inc.  
 Washington; Cargill Washington, N.C. Elevator; Cargill, Inc.  
 Wilson; Cargill Elevator; Cargill, Inc.  
 Belcross; Tom Sawyer & Son Grain Elevator; Warehouse Superintendent of the State of North Carolina.  
 Camden; Wood Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.  
 Elizabeth City; Wood Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.
- SPENCERVILLE; Farmers Union Co. Elevator; The Spencerville Farmers Union Co.  
 Thackery; Thackery Elevator; Shepard Grain Company, Inc.  
 Toledo; Cargill East Side Elevator; Cargill, Inc.  
 Van Wert; Welker Elevator; The Welker Grain Co.  
 Wooster; Wooster Elevator; The Dover Milling Co.
- OKLAHOMA  
 Alva; Alva Public Terminal Elevator; Flour Mills of America, Inc.  
 Apache; Apache Farmers Co-operative; Apache Farmers Co-operative.  
 Baker; Riffe, Glimore Elevator; Paul L. Wright, H. G. Riffe, George D. Riffe and Gerald L. Riffe, trading as Riffe, Glimore and Co.  
 Beaver; Perryton Equity Elevator; Perryton Equity Exchange.  
 Bison; Farmers Elevator; Bison Cooperative Association.  
 Boise City; Consumer Elevators; Boise City Farmers Cooperative.  
 Broken Arrow; Farmers Co-op Elevator; Farmers Cooperative.  
 Buffalo; Buffalo Farmers Elevator; The Buffalo Farmers' Co-operative Elevator Co.  
 Cashion; Farmers Exchange Elevator; Farmers Exchange of Cashion.  
 Cherokee; Alva Roller Mills Elevator; Flour Mills of America, Inc.  
 Cherokee; Farmers Elevator; Farmers Cooperative Elevator Association.  
 Clinton; Farmers Elevator; Farmers Cooperative Association.  
 Clyde; Clyde Elevator; Clyde Co-operative Association.  
 Crescent; Crescent Cooperative Elevator; Crescent Cooperative Association.  
 Custer City; Farmers Elevator; Custer City Farmers Cooperative Exchange.  
 Deer Creek; Deer Creek Elevator; Clyde Co-operative Association.  
 Douglas; Farmers Elevators; Farmers Co-operative Elevator Co. of Douglas.  
 Enid; Continental Elevator; Continental Grain Co.  
 Enid; Union Equity Co-operative Exchange Elevator; Union Equity Co-operative Exchange.  
 Fairview; Fairview Elevator; Farmers Co-operative Elevator Association.  
 Fargo; Farmers Elevator; Farmers Co-operative Association.  
 Garber; Cooperative Elevator; Garber Co-operative Association.  
 Gibbon (P.O. Wakita); Farmers Co-operative Elevator; Farmers Co-operative Elevator Co. of Wakita.  
 Goodwell; Farmers Elevator; Farmers Elevator of Goodwell, Oklahoma, Inc.  
 Grandfield; Union Equity Elevator; Union Equity Co-operative Exchange.  
 Guymon; Knutson Elevator; Knutson Elevators, Inc.



- Hardesty; Perryton Equity Elevator; Perryton Equity Exchange.  
 Helena; Farmers Elevator; Farmers Cooperative Association.  
 Hennessey; Farmers Co-operative Elevator; Farmers Elevator and Co-operative Association.  
 Hitchcock; Farmers Coop Elevator; The Farmers Union Co-operative Exchange.  
 Homestead; Homestead Elevator; Farmers Cooperative Elevator Association.  
 Hominy; Sooner Terminal Elevator; C. R. Scott, Trustee of Michael Bruce McNell Trusts A1 to A4, and Phillip Andrew McNell Trusts A1 to A4, d.b.a. Sooner Terminal Elevator.  
 Hooker; Equity Exchange Elevator; The Hooker Equity Exchange.  
 Hough; Hough Elevator; Hooker Elevators, Inc.  
 Hough; Riffe, Gilmore Elevator; Paul L. Wright, H. G. Riffe, George D. Riffe and Gerald L. Riffe, trading as Riffe, Gilmore and Co.  
 Hydro; Farmers Elevator; Hydro Cooperative Association.  
 Inco; Inco Farmers Elevators; Farmers Cooperative Elevator Co.  
 Kingfisher; Kingfisher Cooperative Elevator Association.  
 Knowles; Perryton Equity Elevator; Perryton Equity Exchange.  
 Kremlin; Farmers Elevator; Farmers Grain Co.  
 Lamont; Lamont Elevator; Clyde Co-operative Association.  
 Lawton; Cooperative Elevator A; Lawton Cooperative Association.  
 Marshall; Farmers Cooperative Elevator; Farmers Cooperative Elevator Co.  
 May; May Elevator; Woodward Cooperative Elevator Association.  
 McWille; Farmers Elevator; Farmers Cooperative Association.  
 Medford; Medford Elevator; Clyde Co-operative Association.  
 Miami; Miami Co-op Elevator; The Miami Cooperative Association.  
 Midway; Midway Elevator; Hooker Elevators, Inc.  
 Moreland; Farmers Co-op Elevator; Farmers Co-operative Trading Co.  
 Mouser; Riffe, Gilmore Elevator; Paul L. Wright, H. G. Riffe, George D. Riffe and Gerald L. Riffe, trading as Riffe, Gilmore and Co.  
 Nardin; Cooperative Elevator; Clyde Co-operative Association.  
 Okene; Farmers Coop Elevator; The Farmers Union Co-operative Exchange.  
 Oklahoma City; Garrison Elevator; Garrison Milling Company, Inc.  
 Perry; Farmers Cooperative Elevator; Farmers Cooperative Exchange.  
 Pond Creek; Farmers Elevator; Farmers Grain Co.  
 Ranch Drive; Ranch Drive Elevator; Farmers Cooperative Association.  
 Red Rock; Farmers Co-op. Elevator; Red Rock Farmers Co-operative.  
 Rendrow; Rendrow Elevator; Clyde Co-operative Association.  
 Saltfork; Saltfork Elevator; Clyde Co-operative Association.  
 Selman; Selman Farmers Elevator; The Buffalo Farmers' Co-operative Elevator Co.  
 Shawnee; Shawnee Elevator; Shawnee Milling Co.  
 Tonkawa; Tonkawa Elevator; Farmers Cooperative Association.  
 Tuttle; MFC Elevator; Mid-Continent Farmers Co-op.  
 Vick; Farmer's Co-op. Ass'n Elevator; Farmers Cooperative Association of Vic.  
 Wakita; Farmers Co-operative Elevators; Farmers Co-operative Elevator Co. of Wakita.  
 Weatherford; Co-op Elevator; Farmers Cooperative Exchange.  
 Woodward; Woodward Elevator; Woodward Cooperative Elevator Association.  
 Yale; Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association.  
 Yukon; MFC Elevator; Mid-Continent Farmers Co-op.
- Oxazon
- Adams; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Alice; Grande Ronde Grain Warehouse; Grande Ronde Grain Co.  
 Athens; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Barrett; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Biggs; Sherman Co-operative Grain Growers Warehouse; Sherman Co-operative Grain Growers.  
 Blakeley; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Bourbon; Grass Valley Grain Growers Warehouse; Grass Valley Grain Growers, Inc.  
 Cold Springs; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Condon; Condon Grain Growers Warehouse; Condon Grain Growers, Inc.  
 DeMoss; Moro Grain Growers Warehouse; Moro Grain Growers Association.  
 Downing; Weston Grain Growers Warehouse; Weston Grain Growers, Inc.  
 Dufur; Dufur Elevator; Dufur Elevator Co.  
 Eakin's Siding; Eakin Elevator; Eakin Co-operative Grain Growers.  
 Echo; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Elgin; The Elgin Flouring Mill Warehouse; The Elgin Flouring Mill Co.  
 Enterprise; Wallawa County Grain Growers Warehouse; Wallawa County Grain Growers.  
 Erskine; Moro Grain Growers Warehouse; Moro Grain Growers Association.
- North Lexington; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.  
 North Powder; North Powder Milling and Mercantile Company's Warehouse; North Powder Milling and Mercantile Co.  
 Pendleton; Pendleton Grain Growers Warehouse No. 2; Pendleton Grain Growers, Inc.  
 Pilot Rock; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Portland; Blue Line Exchange Warehouse; Blue Line Exchange.  
 Rew; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Rufus; Sherman Co-operative Grain Growers Warehouse; Sherman Co-operative Grain Growers.  
 Rugas; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.  
 Shankor; Blue Line Exchange Warehouse; Blue Line Exchange.  
 Sparks; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Stanton; Farmers Mutual Warehouse Co-op.; Farmers Mutual Warehouse Cooperative.  
 Umatilla; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Union; The Union Flouring Mill Warehouse; The Union Flouring Mill Co.  
 Vanayde; Farmers Mutual Warehouse Co-op.; Farmers Mutual Warehouse Cooperative.  
 Wallawa; Wallawa County Grain Growers Warehouse; Wallawa County Grain Growers.  
 Wasco; Sherman Co-operative Grain Growers Warehouse; Sherman Co-operative Grain Growers.  
 Waterman; McIntyre Elevator; B & T Ranches, a partnership consisting of James R. Rice and Tillman D. Taylor, d.b.a. A. H. McIntyre Grain Elevator Co.  
 Wayland; McIntyre Elevator; B & T Ranches, a partnership consisting of James R. Rice and Tillman D. Taylor, d.b.a. A. H. McIntyre Grain Elevator Co.  
 Weston; Weston Grain Growers Warehouse; Weston Grain Growers, Inc.
- PENNSYLVANIA
- Erie; Pennsylvania Railroad Elevator; Erie Grain Elevator Corp.  
 Philadelphia; 20th Street Elevator; Tide-water Grain Co.  
 Philadelphia; Girard Point Elevator; Tide-water Grain Elevator Company.
- SOUTH CAROLINA
- Anderson; CPA Anderson Grain Elevator; The Cotton Producers Association.  
 North Charleston; South Carolina Farm Bureau Elevator; South Carolina Farm Bureau Marketing Association.







Wilsons: Wheat Growers of Endicott Warehouse; Wheat Growers of Endicott, Inc. Zumbalt; Pomerooy Grain Growers Warehouse; Pomerooy Grain Growers, Inc.

## WISCONSIN

Green Bay; Strid Grain Company Elevator; T. A. Strid and Roland G. Strid, copartners trading as Strid Grain Company. La Crosse; Cargill La Crosse Elevator; Cargill, Inc. Superior; Farmers Union Elevator; Farmers Union Grain Terminal Association.

## WYOMING

Egbert; Point of Rocks Elevator; Point of Rocks Elevators, Inc.

## C. For the storage of beans:

## COLORADO

Four, Warehouse, and Warehousemen Byers; Farmers Union Elevator; Farmers Union Marketing Association. Denver; Outwest Bean Warehouse; Outwest Bean, Inc.

Dore Creek; Romer Warehouse; David L. Corlett and Jean R. Corlett, copartners, trading as Romer Mercantile and Grain Co. Dove Creek; Dove Creek Bean & Elevator Co. Warehouse; Dove Creek Bean & Elevator Co.

Eaton; Co-Op Bean and Grain Warehouse; The Potato Growers Co-operative Co. Fowler; Fowler Warehouse; Fowler Cooperative Association. Milliken; Dammun Mills Division Elevator; The Farmers Union Cooperative Marketing Association.

Olathe; Co-op Warehouse; The Olathe Potato Growers Cooperative Association. Pleasant View; San Juan Warehouse; San Juan Bean Growers, Inc. Roggen; Roggen Farmer's Bean Warehouse; Roggen Farmer's Elevator Association.

## IDAHO

Buhl; Shields Warehouse; James H. Shields, Jr., James T. Shields and James Shields Redman, d.b.a. "Shields". Filer; Idaho Bean and Elevator Warehouse; Idaho Bean & Elevator Co. of Twin Falls. Hansen; L. W. Moore Warehouse; L. W. Moore.

Jerome; Growers Warehouse; Growers Warehouse Co., Inc. Jerome; Marshall Warehouse; Marshall Warehouse, Inc. Kendrick; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc. Nampa; Shields Warehouse; James H. Shields, Jr., James T. Shields and James Shields Redman, d.b.a. "Shields". Twin Falls; Idaho Bean and Elevator Warehouse; Idaho Bean & Elevator Co. of Twin Falls.

Pennawase; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc. Peyton; Pomerooy Grain Growers Warehouse; Pomerooy Grain Growers, Inc. Pomerooy; Pomerooy Grain Growers Warehouse; Pomerooy Grain Growers, Inc.

Powers; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc. Prescott; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc.

Pullman; Dumas Seed Company Warehouse; Dumas Seed Co. Pullman; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc. Relief; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Rockford; Rockford Grain Growers Warehouse; Rockford Grain Growers, Inc. Roman; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Roosevelt; Farmers Warehouse and Commission Co.; Farmers Warehouse and Commission Co. Seabury; Oakesdale Grain Growers Warehouse; Oakesdale Grain Growers, Inc.

Shawnee; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc. Sperry; Washburn Grain Growers Warehouse; Washburn Grain Growers, Inc.

Sprague; Edwall Grain Growers Warehouse; Edwall Grain Growers, Inc. Starbuck; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Stephens; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc. Sulphur; Connell Grain Growers Warehouse; Connell Grain Growers, Inc.

Thera; Wheat Growers of Endicott Warehouse; Wheat Growers of Endicott, Inc. Thornton; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

Turner; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc. Union Center; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

Uniontown; Uniontown Co-operative Warehouse; Uniontown Co-operative Association. Wallburg; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc.

Delaney; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc. Dodge; Pomerooy Grain Growers Warehouse; Pomerooy Grain Growers, Inc.

Dumas Seed Co. Draper; Dumas Seed Co. Warehouse; Dumas Seed Co. Edwall Grain Growers, Inc.

Edwall; Edwall Grain Growers Warehouse; Edwall Grain Growers, Inc. Eltopia; Connell Grain Growers Warehouse; Connell Grain Growers, Inc.

Endicott; Wheat Growers of Endicott Warehouse; Wheat Growers of Endicott, Inc. Ewartville; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Fairbanks; Oakesdale Grain Growers Warehouse; Oakesdale Grain Growers, Inc. Fallon; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Freeman; Rockford Grain Growers Warehouse; Rockford Grain Growers, Inc. Fritchett; Connell Grain Growers Warehouse; Connell Grain Growers, Inc.

Glenwood; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc. Goldendale; Grain Growers Warehouse; Goldendale Grain Growers, Inc.

Klickitat Valley Grain Growers Warehouse; Klickitat Valley Grain Growers, Inc. Harsh; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc.

Hatton; Connell Grain Growers Warehouse; Connell Grain Growers, Inc. House; Pomerooy Grain Growers Warehouse; Pomerooy Grain Growers, Inc.

Huntsville; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc. Johnson; Johnson Union Warehouse; Johnson Union Warehouse Co.

Kablotus; Kablotus Cooperative Elevator; Leon; Uniontown Co-operative Warehouse; Uniontown Co-operative Association.

Long; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc. Manning; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

McKay; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc. Mead; Rockford Grain Growers Warehouse; Rockford Grain Growers, Inc.

Menoken; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc. Mesa; Connell Grain Growers Warehouse; Connell Grain Growers, Inc.

Mockoma; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc. Mount Hope; Rockford Grain Growers Warehouse; Rockford Grain Growers, Inc.

Oakesdale; Oakesdale Grain Growers Warehouse; Oakesdale Grain Growers, Inc. Parvin; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Albion; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc. Alto; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Asotin; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc. Belmont; Oakesdale Grain Growers Warehouse; Oakesdale Grain Growers, Inc.

Boiler; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc. Busby; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Canby; Edwall Grain Growers Warehouse; Edwall Grain Growers, Inc. Cashup; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

Centerville; Grain Growers Warehouse; Klickitat Valley Grain Growers Warehouse; Johnson Union Warehouse Co.

Chambers; Johnson Union Warehouse; Chambers; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Colfax; Cochran and Sons Elevator; Roy E. Cochran, doing business as Cochran and Sons Elevator.

Colfax; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

Colton; Colton Flour Mills' Warehouse; Albert C. Grams, d.b.a. Colton Flour Mills.

Colton; Johnson Union Warehouse; Johnson Union Warehouse Co.

Connell; Connell Grain Growers Warehouse; Connell Grain Growers, Inc.

Coppet; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc.

Dayton; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Edwall; Edwall Grain Growers Warehouse; Edwall Grain Growers, Inc.

Edwall; Edwall Grain Growers Warehouse; Edwall Grain Growers, Inc.

Edwall; Edwall Grain Growers Warehouse; Edwall Grain Growers, Inc.

Edwall; Edwall Grain Growers Warehouse; Edwall Grain Growers, Inc.







- BEARDSTOWN:** Continental Elevator; Continental Grain Co.; Warehouseman's request; disposed of warehouse.
- BLOOMINGTON:** Funk Bros. Seed Co. Elevator; Funk Bros. Seed Co.; Warehouseman's request; disposed of warehouse.
- BOURBON:** Bourbon Elevator; United Grain Co.; Warehouseman's request; Corporation merged.
- CHAMPAIGN:** Evans Elevator; Evans Elevator Co.; Warehouseman's request; disposed of warehouse.
- CHICAGO:** Spencer Kellogg Elevator; Textroon Inc.; Warehouseman's request; Ceased operations.
- CHICAGO:** States Grain Elevator; Best Feeds and Farm Supplies, Inc.; Terminated, did not furnish bond.
- CREVE COEUR:** United Grain Company Elevator; United Grain Co.; Warehouseman's request; Corporation merged.
- EDWARDSVILLE:** A. & B. Feed & Seed Elevator; A. & B. Feed & Seed Store, Inc.; Warehouseman's request; disposed of warehouse.
- FAIRFIELD:** Federal-North Iowa Elevator; Federal-North Iowa Grain Co.; Warehouseman's request; lease expired.
- LEE:** Schaefer Elevator; Henry B. Schaefer, trading as H. R. Schaefer Grain Co.; Warehouseman's request; formed a corporation.
- MCCALL SIDING:** McCall Elevator; Hancock Grain Co.; Warehouseman's request; disposed of warehouse.
- MOWEASQUA:** Moweaqua Elevator; Moweaqua Grain Co.; Warehouseman's request; disposed of warehouse.
- RADFORD:** Radford Elevator; Radford Grain Co.; Warehouseman's request; disposed of warehouse.
- INDIANA**
- Indianapolis:** Indianapolis Public Elevator; Indiana Farm Bureau Cooperative Association, Inc.; Warehouseman's request; revised storage policy does not comply with U.S. Warehouse Act.
- RAUB:** Raub Elevator; Allison, Steinhart & Zook, Inc.; Warehouseman's request; disposed of warehouse.
- SPEICHER:** Speicher Elevator; Wabash County Farm Bureau Co-operative Association, Inc.; Warehouseman's request; revised storage policy does not comply with U.S. Warehouse Act.
- TREATY:** Treaty Elevator; Wabash County Farm Bureau Co-operative Association, Inc.; Warehouseman's request; revised storage policy does not comply with U.S. Warehouse Act.
- IOWA**
- Belmond:** General Mills Soy Bean Division Elevator; General Mills, Inc.; Warehouseman's request; disposed of warehouse.
- CHARLTON:** Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Warehouseman's request; disposed of warehouse.
- OKLAHOMA**
- Blackwell:** Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Warehouseman's request; disposed of warehouse.
- HOMINY:** Sooner Terminal Elevator; T. T. Robinson, Trustee of Michael Bruce McNeill Trusts A1 to A4 and Donald Clyde McNeill Trusts A1 to A4 and Phillip Andrew McNeill Trusts A1 to A4, c.b.s. Sooner Terminal Elevator; Warehouseman's request; New partnership formed.
- PECKHAM:** Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Warehouseman's request; disposed of warehouse.
- OKLAHOMA**
- Barnhart:** Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.; Warehouseman's request; discontinued operation of warehouse.
- HERMISTON:** Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.; Warehouseman's request; discontinued operation of warehouse.
- PENNSYLVANIA**
- Camp Hill:** Spangler's Boddied Elevator; Spangler's Flour Mills, Inc.; Warehouseman's request; disposed of warehouse.
- MOUNT JOY:** Spangler's Grain Elevator; Spangler's Flour Mills, Inc. of Mount Joy; Warehouseman's request; disposed of warehouse.
- YORK:** Mundis Mills Elevator; Mundis Mills, Inc.; Terminated, did not furnish bond.
- TEXAS**
- Hamlin:** Moore Elevator; Fred B. Moore, Jr.; Terminated, warehouseman deceased.
- STERLEY:** Patterson Elevator; Patterson Grain Co., Inc.; Warehouseman's request; warehouse sold.
- UTAH**
- Murray:** Murray Elevator; Sterling H. Nelson & Sons, Inc.; Warehouseman's request; revised storage policy does not comply with U.S. Warehouse Act.
- WYOMING**
- Sheridan:** Sheridan Flouring Mills Elevator; Sheridan Flouring Mills, Inc.; Terminated; did not furnish renewal bond.
- C. For the storage of beans:**
- IDAHO**
- Town:** Warehouse, Warehouseman and Cess of Termination.
- Twin Falls:** Gem State Bean Warehouse No. 2; Gem State Bean Co., Inc.; Terminated, did not furnish bond.
- MINNESOTA**
- Linneus:** Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Warehouseman's request; disposed of warehouse.
- ST. JOSEPH:** Larabee Elevator; Archer Daniels-Midland Co.; Warehouseman's request; disposed of warehouse.
- WARRENSBURG:** Innes Elevator Mills; J. L. Innes and R. A. Innes, copartners, trading as Innes Elevator Mills; Warehouseman's request; discontinued public storage.
- NEBRASKA**
- Carroll:** Holmquist Elevator; The Holmquist Grain and Lumber Co.; Warehouseman's request; disposed of warehouse.
- CREIGHTON:** Continental Elevator; Continental Grain Co.; Warehouseman's request; disposed of warehouse.
- GRANT:** Kellogg Elevator; Kellogg Grain Co.; Terminated, did not furnish bond.
- OMAHA:** Milwaukee Elevator "A"; J. LeRoy Welsh, Helan V. Welsh, Harold B. Waller and James L. Welsh, Jr., copartners, trading as Butler-Welsh Grain Co.; Warehouseman's request; New partnership formed.
- OMAHA:** Federation Elevator; Farmers Union Co-operative Elevator Federation; Warehouseman's request; disposed of warehouse.
- STUART:** Krotter Elevator; William Krotter Co.; Terminated, did not furnish bond.
- WATERBURY:** Holmquist Elevator; The Holmquist Grain and Lumber Co.; Warehouseman's request; disposed of warehouse.
- NORTH CAROLINA**
- Morock:** Morock Trading Company Elevator; Warehouse Superintendent of the State of North Carolina; Did not renew State license.
- NEWTON:** Catawba Grain Elevator; Warehouse Superintendent of the State of North Carolina; Warehouseman's request; lease terminated.
- NORTH DAKOTA**
- Jameson:** J-T Elevator; J-T Elevator Co.; Warehouseman's request; lease terminated.
- OHIO**
- Hume:** Hume Elevator; Ohio Equity, Inc.; Warehouseman's request; disposed of warehouse.
- LIMA:** Equity Elevator; Ohio Equity, Inc.; Warehouseman's request; disposed of warehouse.
- PITTSBURG:** Pittsburg Grain Elevator; Pittsburg Feed and Grain, Inc.; Warehouseman's request; discontinued public storage.
- WOOSTER:** Equity Elevator No. 2; Ohio Equity, Inc.; Warehouseman's request; disposed of warehouse.
- KANSAS**
- Farlin:** Mulligan Elevator; Mulligan Bros. Grain Co.; Warehouseman's request; disposed of warehouse.
- BURNS:** Vesting Elevator; Vesting Feed, Inc.; Warehouseman's request; obtained state license.
- CORTINA:** Hunter Elevator; H. H. Hunter, d.b.a. H. H. Hunter-Grain-Feed-Fertilizer; Terminated, Warehouseman deceased.
- FURLEY (P.O. Valley Center):** Danner Mills Division Elevator; The Farmers Union Co-operative Marketing Association; Warehouseman's request; disposed of warehouse.
- HUTCHINSON:** Larabee Elevator; Archer Daniels-Midland Co.; Warehouseman's request; discontinued public storage.
- KANSAS CITY:** Rosedale Elevator; Flour Mills of America, Inc.; Warehouseman's request; disposed of warehouse.
- NEWTON:** International Milling Co., Inc.; Warehouseman's request; discontinued public storage.
- OLMIST:** Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Warehouseman's request; disposed of warehouse.
- OXFORD:** Paddy Elevator; Textroon Inc.; Warehouseman's request; disposed of warehouse.
- PERTH:** Hunter Elevator; H. H. Hunter, d.b.a. H. H. Hunter-Grain-Feed-Fertilizer; Terminated, warehouseman deceased.
- TURON:** Danner Mills Division Elevator; The Farmers Union Cooperative Marketing Association; Warehouseman's request; disposed of warehouse.
- WICHITA:** Hunter Elevator; H. H. Hunter, d.b.a. H. H. Hunter-Grain-Feed-Fertilizer; Terminated, warehouseman deceased.
- MASSACHUSETTS**
- BALTIMORE:** Cargill Mt. Clare Elevator; Cargill Inc.; Warehouseman's request; lease expired.
- WESTMINSTER:** Shafer Brothers Elevator; Lewis W. Shafer, Lewis W. Shafer, Jr., Joseph A. Shafer and Lindsay B. Shafer, t/s Shafer Brothers; Terminated, did not furnish bond.
- MICHIGAN**
- Coldwater Township (P.O. Coldwater):** Coldwater Elevator; Williams Grain Corp.; Warehouseman's request; corporation dissolved.
- QUINCY:** Quincy Elevator; Williams Milling Co., Inc.; Warehouseman's request; corporation dissolved.
- MISSOURI**
- Butler:** M.F.A. Elevator; M.F.A. Central Cooperative; Warehouseman's request; discontinued public storage.
- HAMILTON:** Danner Elevator; Danner Mills, Inc.; Warehouseman's request; disposed of warehouse.



## D. For the storage of broomcorn:

## ILLINOIS

Town, Warehouse, Warehouseman and Cause of Termination

Paris; Denning Warehouse; John L. Denning & Co., Inc.; Warehouseman's request, discontinued operation of warehouse.

## E. For the storage of sirup:

## WASHINGTON

Town, Warehouse, Warehouseman, and Cause of Termination

Tacoma; Sioux Honey Association Warehouse; Sioux Honey Association, Cooperative; Warehouseman's request, discontinued operation of warehouse.

Done at Washington, D.C., this 3d day of March, 1965.

CLARENCE H. GIRARD,  
Deputy Administrator,  
Consumer and Marketing Service.

[P.R. Doc. 65-2394; Filed, Mar. 8, 1965; 8:46 a.m.]

## WALLACE STOCKYARDS ET AL.

## Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below, it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name and location of stockyard; date of posting

## ALABAMA

Wallace Stockyards, Ashville, January 30, 1965.

## ARIZONA

Logan County Livestock Auction, Magazine, January 26, 1965.

## ILLINOIS

Kelley Live Stock Marketing Co., Vandalia, January 25, 1965.

## IOWA

Maquoketa Sales Co., Maquoketa, January 18, 1965.

## MINNESOTA

Dawson Sales Barn, Dawson, January 23, 1965.

## NORTH CAROLINA

Dye and Sanders Auction Barn, Asheboro, July 22, 1964.

Done at Washington, D.C., this 4th day of March 1965.

K. A. POTTER,  
Acting Chief, Rates and Regis-  
trations Branch, Packers and  
Stockyards Division, Consum-  
er and Marketing Service.

[P.R. Doc. 65-2429; Filed, Mar. 8, 1965; 8:50 a.m.]

## DEPARTMENT OF THE TREASURY

## Foreign Assets Control Office

## IMPORTATION OF TANNIC ACID

## Available Certification by Government of United Kingdom

Notice is hereby given that certificates of origin issued by the Customs and Excise of the Government of the United Kingdom under procedures agreed upon between that Government and the Foreign Assets Control are now available with respect to the importation of tannic acid into the United States directly, or on a through bill of lading, from the United Kingdom.

[SEAL] MARGARET W. SCHWARTZ,  
Director,  
Foreign Assets Control.

[P.R. Doc. 65-2368; Filed, Mar. 8, 1965; 8:45 a.m.]

## Office of the Secretary

[AA 643.3-0]

## FIELD STRENGTH METERS FROM CANADA

## Notice of Intent To Discontinue Investigation Regarding Fair Value

MARCH 2, 1965.

Information was received on August 17, 1964, that Benco Model FSP-3B Field Strength Meters and accessories (MT-FS, PM-50, PM-75, and LCC) imported from Canada, manufactured by Benco Television Associates Limited, Rexdale, Ontario, Canada, were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Field strength meters and their accessories are used primarily in the electronics field for a variety of measurements.

Promptly after the commencement of the antidumping investigation, price revisions were made which eliminated the likelihood of sales below fair value. There appears to be no likelihood of a resumption of prices which prevailed before such price revision.

The facts here related are considered to be evidence that there are not and are not likely to be sales below fair value with respect to Benco Model FSP-3B Field Strength Meters and accessories, manufactured by Benco Television Associates Limited, Rexdale, Ontario, Canada.

Unless persuasive evidence or argument to the contrary is presented within thirty days, a determination will be made that there are not and are not likely to be sales below fair value.

This notice is published pursuant to § 14.7(b)(9) of the Customs Regulations (19 CFR 14.7(b)(9)).

[SEAL] JAMES A. REED,  
Assistant Secretary of the Treasury.

[P.R. Doc. 65-2409; Filed, Mar. 8, 1965; 8:47 a.m.]

## ATOMIC ENERGY COMMISSION

## POLICIES AND PROCEDURES FOR TRANSFER OF COMMERCIAL RADIOISOTOPE PRODUCTION AND DISTRIBUTION TO PRIVATE INDUSTRY

## Statement of Policy

Since 1946, the United States Atomic Energy Commission has produced radioisotopes in its own facilities and distributed them for governmental and private use. In recent years, private facilities have become available which are capable of producing and processing some of these radioisotopes. The Commission's policy is to refrain from competing with private sources of materials when they are reasonably available commercially. Accordingly, over the past years the Commission has discontinued production and distribution of selected types, quantities and qualities of radioisotopes and related services as these have become available from private sources.

There is currently a rapidly growing industrial interest in undertaking private production and distribution of increasing numbers of radioisotopes presently being distributed by the Commission. It therefore wishes to reaffirm its policy to transfer its commercial radioisotope production and distribution activities to private industry as rapidly as possible consistent with the national interest. To provide for the orderly transfer to private operation, the Commission developed proposed policies and procedures for effecting such transfer. On September 16, 1964, the Commission published in the FEDERAL REGISTER a request for public comment on the proposed policies and procedures.

Interested persons were requested to direct their comments to the Secretary, United States Atomic Energy Commission, Washington, D.C., 20545, within 60 days from that date. The Commission has now adopted policies and procedures for the transfer of commercial AEC radioisotope production and distribution activities to private industry, effective immediately upon the publication of this notice in the FEDERAL REGISTER.

## POLICIES AND PROCEDURES FOR TRANSFER OF COMMERCIAL AEC RADIOISOTOPE PRODUCTION AND DISTRIBUTION ACTIVITIES TO PRIVATE INDUSTRY

The policies and procedures encompass:

a. The establishment of guidelines governing AEC withdrawal from production and distribution of particular radioisotopes, either voluntarily or upon petition of a private organization.

b. The establishment of a petition procedure by which private organizations may formally request AEC withdrawal from the production and distribution of particular radioisotopes.

c. The application of AEC radioisotope pricing policy.

d. The AEC position with respect to its conduct of radioisotope production technology research and development on those



radioisotopes from which it has withdrawn from production and distribution.

**Withdrawal guidelines.** 1. The AEC will voluntarily withdraw from the commercial production and distribution of particular radioisotopes whenever it determines that such radioisotopes are reasonably available from commercial sources.

2. The AEC will withdraw from the commercial production and distribution of particular radioisotopes on petition from a private organization based upon a demonstrable private capability and encompassing the following but recognizing that all these factors need not be completely satisfied:

a. There is effective competition in the production and distribution of the radioisotopes in question; however, a single source of supply under certain conditions may be acceptable (e.g., very limited market). Foreign producers will be accepted in determining effective competition provided they are actively marketing the radioisotopes in the U.S.

b. There is assurance that the private producers will not discontinue the venture in a manner that would adversely affect the public interest, to the extent resumption of production by AEC would involve a significant delay.

c. The proposed private radioisotope prices are reasonable and consistent with encouragement of research and development and use.

**Government isotope requirements.** It is the Atomic Energy Commission's policy to obtain radioisotopes from commercial sources where it has formally withdrawn from the production and distribution of those radioisotopes. However, the AEC maintains the right to produce an isotope for Government use in those circumstances where the Government is a substantial user, or the use is of special programmatic interest to the AEC, and, where procurement from industry would result in significantly higher cost to the Government.

**Filing a petition.** 1. An organization requesting that the AEC withdraw from the production and distribution of a particular radioisotope may submit a formal petition to this effect. Such a petition should contain sufficient evidence to demonstrate adequate technical, financial and managerial resources, as well as seriousness of intent.

2. The petition should include:

a. Product specifications to show evidence of their comparability to AEC products or adequacy to meet user demands.

b. Estimate of current demand. (The petitioner's production capabilities in conjunction with that of other suppliers should be adequate to meet this demand.)

c. The petitioning organization's production, processing and distribution capability, including identification of the production facilities (e.g., nuclear reactors and/or cyclotrons) available to it and the extent of commitment upon them in relation to market requirements.

d. Price schedule.

e. Delivery schedule.

f. Proposed date of AEC withdrawal.

The AEC may request additional information if the above information is inadequate for AEC to make a finding.

3. Upon making a finding favorable to the petition, the AEC will publish for public comment:

a. The private organization's petition or a summary thereof, exclusive of company confidential information, and will designate the place where a copy of the petition, exclusive of company confidential information, may be seen. (The petitioner should identify those portions of his petition which contain company confidential information; however, the information published must be sufficient to permit meaningful public comment.)

b. A notice of AEC's intent to withdraw. AEC will make a final decision on the withdrawal petition upon receipt and evaluation of public comment.

4. Upon making an unfavorable decision on a petition, either prior to or subsequent to receipt of public comment, AEC will inform the petitioning organization of the reasons for its decision.

5. When AEC determines to withdraw voluntarily from the commercial production and distribution of particular radioisotopes, it will similarly publish a notice of such intent for public comment.

**AEC radioisotope prices.** 1. AEC radioisotope prices will be established to provide reasonable compensation to the Government (which ordinarily will be the higher of AEC full cost recovery or reasonable commercial rates) unless this would significantly interfere with (a) research and development and use or (b) encouragement of private sources of supply. In individual cases, if (a) and (b) cannot be equally accommodated, greater weight will be given to encouragement of research and development and use.

2. The AEC will publish a 30 day prior notice of proposed price changes, including the reasons for the proposed changes.

3. The AEC will not change the price of a radioisotope during the period it is reviewing a petition for AEC withdrawal from production and distribution of that isotope.

**AEC radioisotope production technology research.** 1. AEC will place the conduct of radioisotope production technology research and development it deems necessary to be carried out with groups most qualified to perform such work, whether these be AEC facilities or private organizations.

2. AEC will conduct or support production technology research and development on radioisotopes from which it has withdrawn as it deems necessary, but only to the extent that AEC has satisfied itself that industry is unable, is unwilling or simply is not carrying out such work adequately or where it determines that direct AEC effort is necessary in the interest of the atomic energy program.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 2d day of March 1965.

For the Atomic Energy Commission,

W. B. McCool,  
Secretary.

[F.R. Doc. 65-2382; Filed, Mar. 8, 1965; 8:46 a.m.]

[Docket No. 50-80]

## COLORADO STATE UNIVERSITY

### Notice of Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued Construction Permit No. CPRR-84 authorizing Colorado State University to move its Model AGN-201 nuclear reactor from its present location in the Engineering Building to the recently constructed Biophysical Science Building on the University's campus in Fort Collins, Colo.

The permit, as issued, is as set forth in the Notice of Proposed Issuance of Construction Permit and Facility License Amendment published in the FEDERAL REGISTER on February 13, 1965, 30 F.R. 2044.

Dated at Bethesda, Md., this 2d day of March 1965.

For the Atomic Energy Commission,

ROGER S. BOYD,  
Chief, Research and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-2417; Filed, Mar. 8, 1965; 8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15778, 15779; FCC 65M-256]

### PRINCESS ANNE BROADCASTING CORP. AND SOUTH NORFOLK BROADCASTING CO.

#### Order Scheduling Prehearing Conference

In re applications of Princess Anne Broadcasting Corp., Virginia Beach, Va., Docket No. 15778, File No. BP-15058; Harold H. Hersch, Samuel J. Cole, L. W. Gregory, and William L. Forbes, doing business as South Norfolk Broadcasting Co., Chesapeake, Va., Docket No. 15779, File No. BP-15818; for construction permits.

A further prehearing conference in the above-entitled proceeding will be held on Tuesday, March 16, 1965, beginning at 9 a.m. in the offices of the Commission, Washington, D.C.

Among the matters to be considered and discussed at this further prehearing conference are (1) the failure of Princess Anne Broadcasting Corp. to receive a copy of the Commission's order designating the above applications for hearing; (2) the pleadings based in whole or in part upon the failure of Princess Anne Broadcasting Corp. to comply with certain of the requirements in the Commission's order designating the applications for hearing; and (3) the desirability of rescheduling certain procedural dates in view of the pleadings which have been filed in the proceeding requesting the enlargement of the issues.

It is so ordered This the 2d day of March 1965.

Released: March 3, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-2427; Filed, Mar. 8, 1965; 8:49 a.m.]

[Docket Nos. 15701, 15702; FCC 65M-203]

### SOUTHERN NEWSPAPERS, INC., AND RADIO HOT SPRINGS CO.

#### Order Regarding Procedural Dates

In re applications of Southern Newspapers, Inc., Hot Springs, Ark., Docket No. 15701, File No. BPH-3984; C. J. Dickson, Guy R. Beckham, and James M. Alexander, doing business as Radio Hot Springs Company, Hot Springs, Ark.,



Docket No. 15702, File No. BPH-4124; for construction permits.

The Hearing Examiner having under consideration a joint petition filed on February 26, 1965, by Southern Newspapers, Inc. and C. J. Dickson, Guy R. Beckham, and James M. Alexander, doing business as Radio Hot Springs Company, requesting that certain changes be made in procedural dates heretofore specified in the above-entitled proceeding; and

It appearing, that the principals of the applicants have reached an agreement whereby Southern Newspapers, Inc. will dismiss its application and, in turn, be reimbursed for a portion of the expenses incurred by it for the preparation and advocacy of its application, upon the grant of the Radio Hot Springs Company application and more time is necessary to reduce the agreement to writing, prepare and file the necessary pleading and the required affidavits; and

It further appearing, that counsel for the Broadcast Bureau, the only other party to this proceeding, has informally consented to the immediate consideration and grant of the instant petition:

It is, therefore, ordered, This 2d day of March 1965, that the request for change in procedural dates be and the same is hereby granted; and the procedural dates are rescheduled as follows:

	Extended from—	To—
Exchange of applicants' direct cases	Mar. 2, 1965	Apr. 2, 1965
Notification of any witnesses desired for cross-examination	Mar. 11, 1965	Apr. 9, 1965
Commencement of hearing	Mar. 16, 1965	Apr. 16, 1965

Released: March 3, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-2428; Filed, Mar. 8, 1965;  
8:50 a.m.]

[Docket Nos. 15751-15766; FCC 65R-80]

KFOX, INC. (KFOX) ET AL.

### Memorandum Opinion and Order Amending Issues

In re applications of KFOX, Inc. (KFOX), Pasadena, Calif., et al., Docket Nos. 15751, 15752, 15753, 15754, 15755, 15756, 15757, 15758, 15759, 15760, 15761, 15762, 15763, 15764, 15765, 15766; File No. BP-16149; for construction permits.

1. Topanga Malibu Broadcasting Co. (Topanga) requests deletion of Issues 3 and 10 with respect to its application.<sup>1</sup> Issue 3 would inquire whether the proposal of Topanga would cause objection-

able nighttime interference to Station KFAB, Omaha, Nebr., and Issue 10 would inquire whether the proposed directional antenna parameters accurately depicts the proposed radiation pattern of Topanga and of other applicants. Topanga contends that its application demonstrates and its engineer reaffirms that its proposal will not cause objectionable nighttime interference to Station KFAB or other stations, that the RMS of the array is satisfactory, and that the parameters accurately depict the proposed pattern.

2. Western Broadcasting Corp. and KFAB Broadcasting Co. oppose the petition on the grounds that Topanga offers nothing new. However, the Broadcast Bureau opposes the petition only as to Issue 3. The Bureau contends that, since there are questions as to the adjustment and maintenance of the directional array and the possible distortion in the radiation pattern raised in Issues 8 and 9, respectively, a question may still be present concerning radiation toward Station KFAB. As to Issue 10, the Bureau interposes no objection because the examination of the application and engineering affidavit reveals that the inclusion of this issue appears to have been inadvertent, citing Cleveland Broadcasting, Inc., 1 RR 2d 676 (FCC 63R-519) (1963), and Radio Crawfordsville, Inc., 19 RR 134 (FCC 59-1067) (1959).

3. With respect to Issue 3, the petitioner has made no showing that its applicability to petitioner resulted from a misinterpretation of the facts; the petitioner's request as to Issue 3 will therefore be denied. Its request as to Issue 10 will be granted in view of the Broadcast Bureau's statement that the applicability of that issue to petitioner was inadvertent.

Accordingly, it is ordered, This third day of March 1965, that the petition to delete issues, filed January 13, 1965, by Topanga Malibu Broadcasting Co. is granted to the extent indicated below and is denied in all other respects; and

It is further ordered, That the Commission's Memorandum Opinion and Order (FCC 64-1195), released December 31, 1964, is modified by the amendment of an issue as follows:

10. To determine whether the proposed directional antenna parameters accurately depict the proposed radiation pattern of Voice of Pasadena, Inc. (BP-16172); and Western Broadcasting Corp. (BP-16173).

Released: March 4, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-2426; Filed, Mar. 8, 1965;  
8:49 a.m.]

## FEDERAL MARITIME COMMISSION

### BLUE SEA LINE JOINT SERVICE

#### Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the

<sup>1</sup> Board Member Nelson not present.

Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 48 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Thomas K. Roche, Esq., Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y., 10004.

Agreement 8529-2 redefines the area to be served by the Blue Sea Line Joint Service to include the trade between United States and Canadian ports and ports on the Mediterranean Sea, Red Sea, Gulf of Aden, Somalia, Saudi Arabia, Malaysia, Thailand, Brunei, Indonesia, Hong Kong, Formosa, China, Korea, Pacific Coast of U.S.S.R., Republic of the Philippines, Japan, Panama Canal Zone, Central America, West Indies, Caribbean Sea ports, and Mexico.

Dated: March 4, 1965.

By order of the Federal Maritime Commission.

THOMAS LIST,  
Secretary.

[F.R. Doc. 65-2397; Filed, Mar. 8, 1965;  
8:46 a.m.]

## DE LA RAMA LINES JOINT SERVICE

#### Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 48 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:



Thomas K. Roche, Esq., Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y., 10004.

Agreement 7739-4 between De La Rama Steamship Co., Inc., The Swedish East Asia Co., Ltd. and the Blue Funnel Line Joint Service (Ocean Steamship Co., Ltd., and the China Mutual Steam Navigation Co.) provides for the dissolution of the De La Rama Lines Joint Service and for the elimination of the De La Rama Steamship Co. from participation in the inbound pool, which will be continued as an adjunct to Agreement No. 8529, Blue Sea Line Joint Service. The termination provision has been modified so that the agreement may be terminated at any time upon 6 months notice.

Dated: March 4, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 65-2398; Filed, Mar. 8, 1965;  
8:46 a.m.]

### TRANS-PACIFIC FREIGHT CONFERENCE OF JAPAN

#### Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. D. P. Gillette, Chairman, Trans-Pacific Freight Conference of Japan, Kindai Building, 11, 3-Chome Kyobashi, Chuo-Ku, Tokyo, Japan.

Agreement 150-30 between the member lines of the Trans-Pacific Freight Conference of Japan modifies Article 10 of the basic conference agreement by eliminating the last sentence of Article 10(a) relating to the rights of any of the member lines under the provisions of the Shipping Act, 1916, and of the jurisdiction of the Federal Maritime Commission pursuant to the Act or of any pertinent Federal laws.

Dated: March 4, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 65-2400; Filed, Mar. 8, 1965;  
8:46 a.m.]

### JAPAN-ATLANTIC AND GULF FREIGHT CONFERENCE

#### Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. C. A. Cole, Jr., Chairman, Japan-Atlantic and Gulf Freight Conference, Kindai Building, 11, 3-Chome Kyobashi, Chuo-Ku, Tokyo, Japan.

Agreement 3103-27 between the member lines of the Japan-Atlantic and Gulf Freight Conference modifies Article 10 of the basic conference agreement by eliminating the last sentence of Article 10(a) relating to the rights of any of the member lines under the provisions of the Shipping Act, 1916, and of the jurisdiction of the Federal Maritime Commission pursuant to the Act or of any pertinent Federal laws.

Dated: March 4, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 65-2399; Filed, Mar. 8, 1965;  
8:46 a.m.]

### SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1691]

#### ISRAEL AMERICAN DIVERSIFIED FUND, INC.

#### Notice of Application for Order Exempting Applicant

MARCH 3, 1965.

Notice is hereby given that Israel American Diversified Fund, Inc. ("appli-

cant"), c/o Peter H. Bergson-Kook, 34 Wall Street, New York 5, N.Y., a registered open-end management investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting applicant, to the extent necessary as indicated herein, from the provisions of section 17(f) of the Act so as to permit applicant's custodian, the Chase Manhattan Bank ("Chase"), to enter into a sub-custodian agreement with Israel Discount Bank Ltd. ("Bank") and to permit certain of applicant's securities and other assets to be deposited with Bank in accordance with the terms of a sub-custodian agreement. All interested persons are referred to the application on file with the Commission for a complete statement of the facts which are summarized below.

Applicant's investment policy is, generally speaking, that of investing in securities of Israeli, Israeli-oriented and American companies and applicant will, for the most part, purchase and sell securities on markets located in Israel and the United States. Applicant proposes to enter into an agreement whereby Chase, a domestic bank, which qualifies as a custodian under clause (1) of section 17(f) of the Act would act as its custodian. Applicant further states that Chase would thereafter enter into a sub-custodian agreement with Bank and that cash and Israeli securities will be deposited in Bank, which will act as an agent for Chase.

Applicant proposes that Chase enter into the sub-custodian agreement with Bank for the stated purpose of permitting a more economic and efficient operation than is otherwise possible. Chase does not presently maintain a branch office in Israel and applicant has represented that it does not believe there are any branch offices in Israel of any bank which has been organized under the laws of the United States or which is a member of the Federal Reserve System. Further, although the nearest Chase branch office is located in Beirut, Lebanon, applicant has represented that there is no direct postal communication between Lebanon and Israel and, also, that it may not be possible to hold in Lebanon securities of Israeli companies. Applicant has undertaken to have its auditors retain a reputable accounting firm located in Tel Aviv, Israel, and not associated with applicant or Bank to make physical examinations of the Israeli securities to be held by Bank. These examinations are to be undertaken either in lieu of or supplementary to obtaining direct written confirmation of portfolio securities as of the applicant's fiscal year end from Chase.

The proposed agreement between applicant and Chase includes provisions to the effect that: (1) Bank will be acting solely as agent of Chase and will be subject only to the instructions of Chase and not to those of applicant; and (2) that Chase will assume the same duty of care and responsibility for such of applicant's property as may at any time be held by Bank for its account that Chase would have if such property were held



by its branch in such overseas location. Further, while applicant's assets are held by Bank, they will be insured by Chase under its Bankers Blanket Bond Policy.

Section 17(f) of the Act, in relevant part, provides that every registered management investment company shall maintain its securities and similar investments in the custody of a bank. A bank generally is defined in section 2(a)(5) as a bank organized or doing business under the laws of any state or of the United States, or a member bank of the Federal Reserve System. Since foreign banks do not fall within the foregoing definition of a bank, applicant requests an order of the Commission under section 6(c) of the Act exempting it from the provisions of section 17(f) to the extent necessary to permit applicant's proposed custodian to appoint Bank as its agent to hold and maintain securities and similar investments.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 19, 1965, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address given above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information contained in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

(SEAL)

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 65-2384; Filed, Mar. 8, 1965;  
8:45 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30]

### NORTHEASTERN AREA

#### Delegation of Authority To Conduct Program Activities in the Regional Offices

I. Pursuant to the authority delegated to the Area Administrator by Delegation of Authority 30 (Revision 10), 30 F.R. 972, the following authority is hereby redelegated to the Regional Directors of Boston, Mass. and Providence, R.I., within the Northeastern Area:

A. *Financial assistance.* 1. To approve business and disaster loans not exceeding \$350,000 (SBA's share).

2. To decline business and disaster loans of any amount.

3. To disburse approved loans.

4. To enter into business loan and disaster loan participation agreement with banks.

5. To approve section 502 loans as follows:

a. Direct loans not exceeding \$50,000.

b. Participation loans when the bank's share is 10 percent or more—not to exceed \$100,000.

6. To decline loan applications in the categories described in Item I.A.5. above.

7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,

By \_\_\_\_\_

(Name)

Regional Director.

(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.\*\*

13. To take all necessary actions in connection with the administration, serv-

icing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

B. *Reserved.*

C. *Procurement and management assistance (only to the Regional Director, Boston).* 1. To approve applications for Certificates of Competency received from small business concerns which are located within the geographical jurisdiction of the area office when the total value of the contract to be awarded as a result of the issuance of a COC does not exceed \$100,000.\*\*

2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which if approved, might change the credit aspects of the case.\*\*

D. *Administration.* 1. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans, and (b) acquired property.\*\*

2. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorneys in foreclosure cases.

3. To (a) purchase all office supplies and expendable equipment, including all desk top items; and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

4. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administra-



tion for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

F. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

II. To the Regional Directors of Augusta, Maine, and Hartford, Conn., within the Northeastern Area, the following authority is hereby redelegated:

1. To approve the following:
  - a. Direct loans not exceeding \$100,000.
  - b. Participation loans not exceeding \$250,000 (SBA share).
  - c. Simplified bank participation loans not exceeding \$350,000 (SBA share).
  - d. Simplified early maturities participation loans not exceeding \$350,000 (SBA share).
  - e. Direct disaster loans not exceeding \$350,000.
  - f. Participation disaster loans not exceeding \$350,000 (SBA share).
2. To decline as follows:
  - a. Business loans not exceeding \$250,000.
  - b. Disaster loans not exceeding \$350,000.
3. To disburse approved loans.
4. Items I.A.4 and 7 through 11, above.
5. Item I.A.13, above—only the authority for servicing, administration and collection, including subitems a, b, and c.
6. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time-use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
7. Items I.D.4 and 5, above.
8. Item I.E, above. (Eligibility Determinations for Financial Assistance only.)
9. Item I.F, above. (Size Determinations for Financial Assistance only.)

III. To the Regional Director of Concord, N.H., within the Northeastern Area, the following authority is hereby redelegated:

1. To approve the following:
  - a. Direct loans not exceeding \$100,000.

b. Participation loans not exceeding \$250,000 (SBA share).

c. Simplified bank participation loans not exceeding \$350,000 (SBA share).

d. Simplified early maturities participation loans not exceeding \$350,000 (SBA share).

e. Direct disaster loans not exceeding \$350,000.

f. Participation disaster loans not exceeding \$350,000 (SBA share).

2. To decline as follows:

a. Business loans not exceeding \$250,000.

b. Disaster loans not exceeding \$350,000.

3. To disburse unsecured disaster loans.

4. Items I.A.4 and 7 through 11, above.

5. Item I.A.13, above—only the authority for servicing, administration, and collection, including subitems a and b, but not c.

6. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time-use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

7. Items I.D.4 and 5, above.

8. Item I.E, above. (Eligibility Determinations for Financial Assistance only.)

9. Item I.F, above. (Size Determinations for Financial Assistance only.)

IV. The specific authority delegated in subsection I.A.12; subsections I.C.1 and 2 and subsection I.D.1 herein cannot be redelegated. These are indicated by asterisks (\*\*). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within the regions.

V. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Regional Director.

VI. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

Effective date: February 1, 1965.

THOMAS J. NOONAN,  
Acting Area Administrator,  
Northeastern Area.

[F.R. Doc. 65-2418; Filed, Mar. 8, 1965;  
8:48 a.m.]

[Delegation of Authority 30]

#### MIDWESTERN AREA

#### Delegation of Authority To Conduct Program Activities in the Regional Offices

I. Pursuant to the authority delegated to the Area Administrator by

Delegation of Authority 30 (Revision 10), 30 F.R. 972, the following authority is hereby redelegated to the Regional Directors of Chicago, Detroit, Minneapolis, and Kansas City, within the Midwestern Area:

A. *Financial assistance.* 1. To approve business and disaster loans not exceeding \$350,000 (SBA's share).

2. To decline business and disaster loans of any amount.

3. To disburse approved loans.

4. To enter into business loan and disaster loan participation agreement with banks.

5. To approve section 502 loans as follows:

a. Direct loans not exceeding \$50,000.

b. Participation loans when the bank's share is 10 percent or more—not to exceed \$100,000.

6. To decline loan applications in the categories described in Item I.A.5, above.

7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name) Administrator,  
By \_\_\_\_\_  
(Name)  
Regional Director,  
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.\*\*

13. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable.



now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

#### B. Reserved.

C. *Procurement and management assistance.* 1. To approve applications for Certificates of Competency received from small business concerns which are located within the geographical jurisdiction of their area offices when the total value of the contract to be awarded as a result of the issuance of a COC does not exceed \$100,000.\*\*

2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which if approved, might change the credit aspects of the case.\*\*

D. *Administration.* 1. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans, and (b) acquired property.\*\*

2. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorneys in foreclosure cases.

3. To (a) purchase all office supplies and expendable equipment, including all desk top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.\*

4. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

F. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

II. To the Regional Directors of Des Moines, Indianapolis, Madison, and St. Louis, within the Midwestern Area, the following authority is hereby redelegated:

1. To approve the following:

a. Direct loans not exceeding \$100,000.  
b. Participation loans not exceeding \$250,000 (SBA's share).

c. Simplified bank participation loans not exceeding \$350,000 (SBA's share).

d. Simplified early maturities participation loans not exceeding \$350,000 (SBA's share).

e. Direct disaster loans not exceeding \$350,000.

f. Participation disaster loans not exceeding \$350,000 (SBA's share).

2. To decline the following:

a. Business loans not exceeding \$250,000.

b. Disaster loans not exceeding \$350,000.

3. To disburse approved loans.

4. Items I.A.4 and 7 through 11, above.

5. Item I.A.13, above—only the authority for servicing, administration and collection, including subitems a, b, and c.

6. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time-use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

7. Items I.D.4 and 5, above.

8. Item I.E, above. (Eligibility Determinations for Financial Assistance only.)

9. Item I.F. above. (Size Determinations for Financial Assistance only.)

10. St. Louis only. Items I.C.1 and 2 above—but not exceeding \$50,000.

III. The specific authority delegated in subsection I.A.12; subsection I.C.1 and 2 and subsection I.D.1 herein cannot be redelegated. These are indicated by asterisks (\*\*). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within the regions.

IV. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Regional Director.

V. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

Effective date: February 1, 1965.

RICHARD E. LASSAR,  
Acting Area Administrator,  
Midwestern Area.

[F.R. Doc. 65-2419; Filed, Mar. 8, 1965;  
8:48 a.m.]

[Delegation of Authority 30]

## SOUTHWESTERN AREA

### Delegation of Authority To Conduct Program Activities in the Regional Offices

I. Pursuant to the authority delegated to the Area Administrator by Delegation of Authority 30 (Revision 10), 30 F.R. 972 the following authority is hereby redelegated to the Regional Directors of Dallas, Tex.; San Antonio, Tex.; Lubbock, Tex.; Little Rock, Ark.; New Orleans, La.; Oklahoma City, Okla.; and Albuquerque, N. Mex., within the Southwestern Area:

A. *Financial assistance.* 1. To approve business and disaster loans not exceeding \$350,000 (SBA's share).

2. To decline business and disaster loans of any amount.

3. To disburse approved loans.

4. To enter into business loan and disaster loan participation agreement with banks.

5. To approve section 502 loans as follows:

a. Direct loans not exceeding \$50,000.

b. Participation loans when bank's share is 10 percent or more—not to exceed \$100,000.

6. To decline loan applications in the categories described in Item I.A.5 above.

7. To execute Loan Authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,  
By \_\_\_\_\_  
(Name)  
Regional Director,  
(City)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.\*\*

13. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to



effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

#### B. Reserved.

C. *Procurement and management assistance (only for Regional Director, Dallas).* 1. To approve applications for Certificates of Competency received from small business concerns which are located within the geographical jurisdiction of the area office when the total value of the contract to be awarded as a result of the issuance of a COC does not exceed \$100,000.\*\*

2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which if approved, might change the credit aspects of the case.\*\*

D. *Administration.* 1. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans, and (b) acquired property.\*\*

2. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorneys in foreclosure cases.

3. To (a) purchase all office supplies and expendable equipment, including all desk top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

4. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. *Eligibility determinations.* To determine eligibility of applicants for as-

sistance under any program of the Agency in accordance with Small Business Administration standards and policies.

F. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

II. To the Regional Directors of Houston and Marshall within the Southwestern Area the following authority is hereby redelegated:

1. To approve the following:

a. Direct loans not exceeding \$100,000.  
b. Participation loans not exceeding \$250,000 (SBA share).

c. Simplified bank participation loans not exceeding \$350,000 (SBA share).

d. Simplified early maturities participation loans not exceeding \$350,000 (SBA share).

e. Direct disaster loans not exceeding \$350,000.

f. Participation disaster loans not exceeding \$350,000.

2. To decline as follows:

a. Business loans not exceeding \$250,000.

b. Disaster loans not exceeding \$350,000.

3. To disburse approved loans.

4. Items I.A. 4 and 7 through 11, above.

5. Item I.A.13, above—only the authority for servicing, administration and collection, including subitems a, b, and c.

6. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time-use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

7. Items I.D. 4 and 5, above.

8. Item I.E., above (Eligibility Determinations for Financial Assistance only).

9. Item I.F., above. (Size Determinations for Financial Assistance only).

III. The specific authority delegated in subsection I.A.12; subsections I.C.1 and 2 and subsection I.D.1 herein cannot be redelegated. These are indicated by asterisks (\*\*). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within the regions.

IV. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Regional Director.

V. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous dele-

gations of authority prior to the date hereof.

Effective date: February 1, 1965.

ROBERT E. WEST,  
Acting Area Administrator,  
Southwestern Area.

[F.R. Doc. 65-2420; Filed, Mar. 8, 1965;  
8:48 a.m.]

[Delegation of Authority 30]

### MIDDLE ATLANTIC AREA

#### Delegation of Authority To Conduct Program Activities in the Regional Offices

I. Pursuant to the authority delegated to the Area Administrator by Delegation of Authority 30 (Revision 10), 30 F.R. 972, the following authority is hereby redelegated to the Regional Directors of Philadelphia, Pa.; Cleveland, Ohio; Richmond, Va.; Baltimore, Md.; Washington, D.C.; Newark, N.J.; Clarksburg, W. Va.; Columbus, Ohio; and Pittsburgh, Pa., within the Middle Atlantic Area:

A. *Financial assistance.* 1. To approve business and disaster loans not exceeding \$350,000 (SBA's share).

2. To decline business and disaster loans of any amount.

3. To disburse approved loans.

4. To enter into business loan and disaster participation agreement with banks.

5. To approve section 502 loans as follows:

a. Direct loans not exceeding \$50,000.

b. Participation loans when the bank's share is 10 percent or more—not to exceed \$100,000.

6. To decline loan applications in the categories described in Item I.A.5., above.

7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,  
By \_\_\_\_\_

(Name)  
Regional Director,  
(Regional Office)

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

12. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the making of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.\*\*



13. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

B. Reserved.

C. Procurement and management assistance (only to the Regional Directors, Philadelphia, Cleveland, and Richmond).

1. To approve applications for certificates of competency received from small business concerns which are located within the geographical jurisdiction of their area offices when the total value of the contract to be awarded as a result of the issuance of a COC does not exceed \$100,000.\*\*

2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which if approved, might change the credit aspects of the case.\*\*

D. Administration. 1. To advertise regarding the public sale of (a) collateral in connection with the liquidation of loans, and (b) acquired property.\*\*

2. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorneys in foreclosure cases.

3. To (a) purchase all office supplies and expendable equipment, including all desk top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

4. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Service Administration for the rental of office space; (b)

rent office equipment, and (c) procure (without dollar limitation) emergency supplies and materials.

5. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

E. Eligibility determinations. 1. Only to the Regional Directors, Philadelphia, Cleveland, and Richmond: To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

2. Only to the Regional Directors, Baltimore, Washington, D.C., Newark, Clarksburg, Columbus, and Pittsburgh: To determine eligibility of applicants for financial assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

F. Size determinations. 1. Only to the Regional Directors, Philadelphia, Cleveland, and Richmond: To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

2. Only to the Regional Directors, Baltimore, Washington, D.C., Newark, Clarksburg, Columbus, and Pittsburgh: To make initial size determinations for financial assistance only in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

II. The specific authority delegated in subsection I.A.12; subsections I.C.1 and 2 and subsection I.D.1 herein cannot be redelegated. These are indicated by asterisks (\*\*). The specific authority in the remaining subsections may be redelegated to appropriate subordinate positions within the regions.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as Acting Regional Director.

IV. All authority delegated herein may be exercised by the Regional Director in connection with any matter arising within his region, or in connection with any matter arising without his region when transferred or assigned to him by the Area Administrator, Middle Atlantic Area.

V. All authority previously delegated is hereby rescinded without prejudice to actions taken under such previous delegations of authority prior to the date hereof.

Effective date: February 1, 1965.

EDWARD N. ROSA,  
Area Administrator,  
Middle Atlantic Area.

[F.R. Doc. 65-2421; Filed, Mar. 8, 1965; 8:49 a.m.]

## INTERSTATE COMMERCE COMMISSION FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 4, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

### LONG-AND-SHORT HAUL

FSA No. 39616—*Liquefied chlorine gas from Evans City, Ala.* Filed by O. W. South, Jr., Agent (No. A4645), for interested rail carriers. Rates on liquefied chlorine gas, in tank carloads, subject to aggregate minimum weight of 550,000 pounds per shipment, from Evans City, Ala., to Belle, Charleston, and Institute, W. Va.

Grounds for relief—Market competition.

Tariff—Supplement 171 to Southern Freight Association, Agent, tariff I.C.C. 8-194.

FSA No. 39617—*Grain and grain products from Quincy, Ill.* Filed by Western Trunk Line Committee, Agent (No. A-2393), for interested rail carriers. Rates on grain and grain products, in carloads, from Quincy, Ill., to points in Colorado, Kansas, Missouri, Nebraska, South Dakota, and Wyoming.

Grounds for relief—Rate relationship. Tariff—Supplement 77 to Western Trunk Line Committee, Agent, tariff I.C.C. A-4021.

By the Commission.

[SEAL]

BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-2388; Filed, Mar. 8, 1965; 8:45 a.m.]

[Rev. S.O. 562; Taylor's I.C.C. Order 184]

### VALDOSTA SOUTHERN RAILROAD

#### Diversion or Rerouting of Traffic

In the opinion of Charles W. Taylor, Agent the Valdosta Southern Railroad is unable to transport traffic routed over its line because of high water between Madison and Pinetta, Florida.

It is ordered, That:

(a) Rerouting traffic. The Valdosta Southern Railroad and its connections, being unable to transport traffic in accordance with shippers' routing because of high water between Madison and Pinetta, Fla., is hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained. The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be di-



verted or rerouted before the rerouting or diversion is ordered.

(c) Notification to shippers. Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common car-

riers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date. This order shall become effective at 1 p.m., March 3, 1965.

(g) Expiration date. This order shall expire at 11:59 p.m., March 31, 1965,

unless otherwise modified, changed, suspended, or annulled.

*It is further ordered*, That this order shall be served upon the Association of American Railroads, Car Service Division, as Agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D.C., March 3, 1965.

INTERSTATE COMMERCE  
COMMISSION,  
CHARLES W. TAYLOR,  
Agent.

[SEAL]

[P.R. Doc. 65-2389; Filed, Mar. 8, 1965;  
8:46 a.m.]

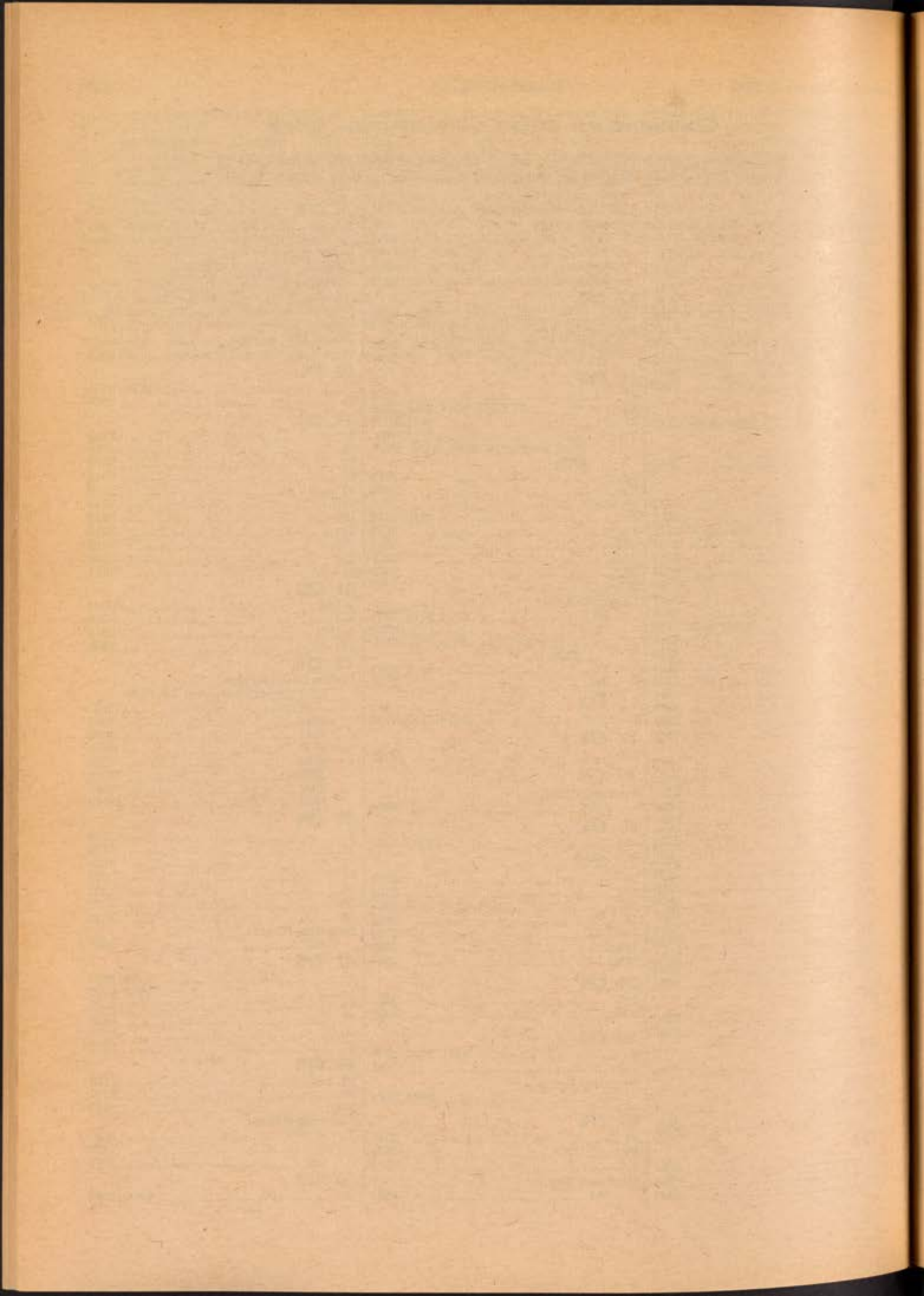


## CUMULATIVE LIST OF CFR PARTS AFFECTED—MARCH

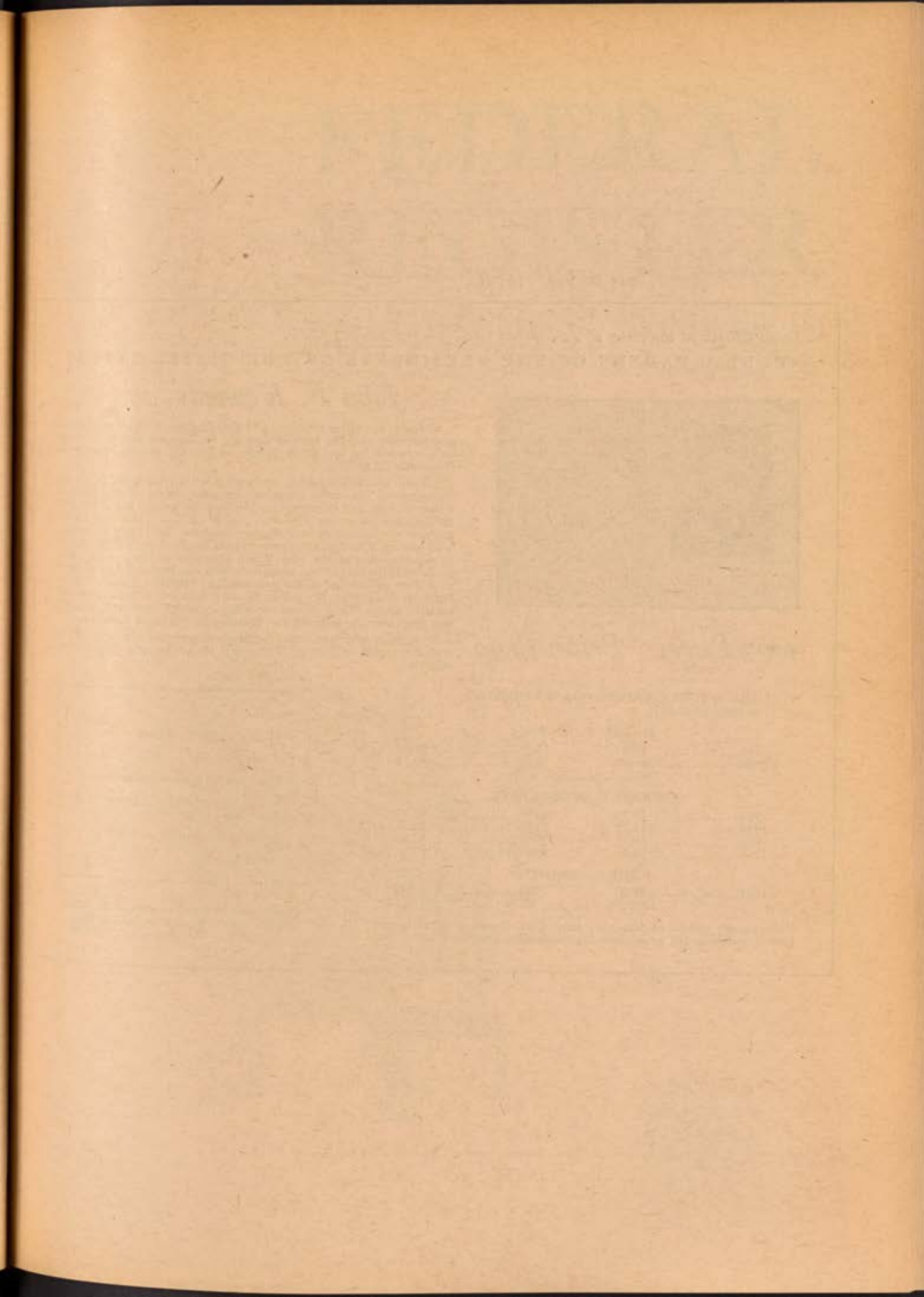
The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during March.

1 CFR	Page	12 CFR—Continued	Page	30 CFR	Page
Appendix A	3102	PROPOSED RULES:		223	2865
3 CFR		543	2875	Ch. III	2868
PROCLAMATIONS:		544	2876	32A CFR	
3638	2639	545	2876	NSA (Ch. XVIII):	
3639	2641	563	2876	OPR-4	2793
3640	2643	13 CFR		33 CFR	
3641	2759	107	2652-2654	202	2761
3642	2919	PROPOSED RULES:		36 CFR	
EXECUTIVE ORDERS:		107	2683	7	2950
11200	2645	111	2890	38 CFR	
11201	2921	14 CFR		17	2705, 3215
11202	3185	25	3200	21	2705
5 CFR		39	2655, 2761, 2855, 2924	39 CFR	
213	2649, 2701, 2851	61	2924, 2927	17	2659
6 CFR		71	2655,	54	2761
540	2649		2702, 2762-2764, 2855, 2856, 2927,	61	2868
7 CFR			2928,	98	3215
5	2923	73	2764	111	3216
26	2851	75	2928	112	3216
301	2649, 2650, 2781	91	3200	132	3216
401	2781, 2782	97	2765, 2772	141	3216
408	2701	121	3200	161	3216
751	2852	207	2655	162	3216
814	2701, 2783	242	2856	163	3216
907	2923	295	2656	41 CFR	
908	2923	298	2779	1-16	2803
910	2650, 2924, 3187	PROPOSED RULES:		3-1	3218
959	2784	39	2682, 2718, 3224	9-15	3219
1030	3187	71	2821, 2822, 2874, 2952, 2953, 3224,	101-45	2930
1031	3188		3225,	43 CFR	
1421	2852, 3195	75	2953, 3225	PUBLIC LAND ORDERS:	
1464	2651	249	2713	3276 (revoked in part by PLO	
1475	2854	16 CFR		3551)	2661
1484	2784	13	2858, 2859, 2929	3551	2661
Ch. XVI	2651	17 CFR		3552	2661
PROPOSED RULES:		230	2657	3553	2661
1013	2870	19 CFR		3554	2661
1031	3224	PROPOSED RULES:		3555	2661
1032	3224	Ch. I	2952	3556	2662
1038	3224	20 CFR		3557	2662
1039	3224	404	2703, 3207	46 CFR	
1051	3224	36	2860	2	2798
1062	3224	120	2704	31	3220
1063	3224	121	2657, 2704, 2945, 3207	32	3220
1067	3224	141a	2865	35	3220
1070	3224	146	2704	40	3221
1072	2805	146a	2865	90	3222
1076	2805	146c	2945	98	3222
1078	3224	24 CFR		PROPOSED RULES:	
1079	3224	200	2657	251	2681
1099	2672	203	2657	47 CFR	
1136	2723	26 CFR		0	2705, 3223
Ch. XIV	2805	1	2841, 2843, 3208	1	2705, 3223
8 CFR		275	2658	43	3223
205	3200	PROPOSED RULES:		87	2799
212	3200	1	2663, 2669	95	2706
9 CFR		29 CFR		97	2705
72	2702	41	2945	49 CFR	
10 CFR		670	2791	10	2662
PROPOSED RULES:		675	2792	95	2712
2	2821	PROPOSED RULES:		170	2712
12 CFR		545	2954	PROPOSED RULES:	
1	2651			71-78	3225
213	2854			91	3226
545	2854			450	2719
				50 CFR	
				33	2802, 2803











Latest Edition in the series of . . .

# PUBLIC PAPERS OF THE PRESIDENTS OF THE UNITED STATES

## John F. Kennedy, 1963



Contains verbatim transcripts of the President's news conferences and speeches and full texts of messages to Congress and other materials released by the White House during the period January 1-November 22, 1963.

Among the 478 items in the book are: special messages to the Congress on education, youth conservation, needs of the Nation's senior citizens, and on improving the Nation's health; radio and television addresses to the American people on civil rights and on the nuclear test ban treaty and the tax reduction bill; joint statements with leaders of foreign governments; and the President's final remarks at the breakfast of the Fort Worth Chamber of Commerce. Also included is the text of two addresses which the President had planned to deliver on the day of his assassination; President Johnson's proclamation designating November 25 a national day of mourning; and remarks at the White House ceremony in which President Kennedy was posthumously awarded the Presidential Medal of Freedom.

A valuable reference source for scholars, reporters of current affairs and the events of history, historians, librarians, and Government officials.

1007 Pages Price: \$9.00

### VOLUMES of PUBLIC PAPERS of the PRESIDENTS currently available:

#### HARRY S. TRUMAN

1945-----	\$5.50	1947-----	\$5.25
1946-----	\$6.00	1948-----	\$9.75
1949-----	\$6.75		

#### DWIGHT D. EISENHOWER:

1953-----	\$6.75	1957-----	\$6.75
1954-----	\$7.25	1958-----	\$8.25
1955-----	\$6.75	1959-----	\$7.00
1956-----	\$7.25	1960-61-----	\$7.75

#### JOHN F. KENNEDY:

1961-----	\$9.00	1962-----	\$9.00
1963-----	\$9.00		

Volumes are published annually, soon after the close of each year. Earlier volumes are being issued periodically, beginning with 1945.

#### Contents:

- Messages to the Congress
- Public speeches
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups
- Public letters

Order from the: Superintendent of Documents  
Government Printing Office  
Washington, D.C. 20402